

March 21, 2024
(48) ARDR

WPA 16614 of 2022

Jagannath Koley & anr.
Vs.
The State of West Bengal & Ors.

Adv. Saurabh Guha Thakurata,
Adv. Nilanjana Sarkar,
Adv. Abhratanu Sarkar,

...for the petitioners.

Adv. Soumitra Bandyopadhyay,
Adv. Priyabrata Batabyal,

...for the State.

Exception used by the petitioners to the report in the form of affidavit submitted on behalf of the respondents is taken on record.

It is submitted on behalf of both the parties that the order impugned passed by the District Magistrate, Bankura on 9th July, 2022 has been implemented upon removal of the construction made by the petitioners in the plot in question by the authority. The petitioners have submitted a subsequent representation before the concerned authority on 18th July, 2022 seeking permission to start their poultry business in the name and style of M/s. Koley Poultry Firm. The representation is yet to be considered. The petitioners pray for a direction upon the authority to consider the representation at the earliest.

Learned counsel for the respondents submits that the 2nd respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the representation submitted by the petitioners dated 18th July, 2022 within six weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all concerned including the petitioners, in accordance with law.

The petitioners shall be at liberty to place all relevant documents in support of their contention before the concerned authority at the time of hearing.

The decision taken by the authority shall be communicated to the petitioners within a week thereof.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)