

19
jdt.

05.01.2024
jb.

W.P.A. 18086 of 2023
(Santanu Majumder vs. State of West Bengal & Ors.)

Mr. Rudranil Das
.... For the petitioner
Mr. Chandi Charan De
Mr. Anirban Sarkar
.... For the State

Affidavit of service filed on behalf of the petitioner is taken on record.

Service upon the private respondent has returned with an endorsement 'refused' which amounts to good service. None appears for the private respondent.

It is contended on behalf of the petitioner that the petitioner acquired title and possession in respect of 19 decimals of land in L.R. Plot No. 912 Khatian Nos. 1763 and 1767, J.L. No. 54, Mouza-Thalia, Police Station-Joypur, District-Howrah by virtue of registered deed of gift executed on 18th May, 1995. Out of the said land, 0.09 decimals were acquired by the Land Acquisition Collector, Government of West Bengal for the purpose of Amta Rajapaur Dihi Bhursat Village Road. The petitioner complains that the private respondent has raised unauthorised construction on the excess area of the acquired portion which was left out after completion of the road, which has blocked the egress and ingress of the petitioner. The petitioner submitted a representation in this regard before the concerned authority on 21st June, 2023 which is

yet to be considered. The petitioner prays for a direction upon the authority to consider the representation at the earliest.

Learned counsel for the State 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 petitioner dated 21st June, 2023 within two months from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioner and the private respondent, in accordance with law.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)