

22.01.2024
rc/ct.no.10
Item No.28

WPA No. 18201 of 2023
Sk. Rafik
Versus
The State of West Bengal & Ors.

Mr. Salil Kumar Maiti
Ms. Pinki Saha ...for the petitioner

Mr. Chandi Charan De
Mr. Sadhan Kumar Halder ...for the State

Ms. Papiya Naskar
..for the respondents no. 9 to 12

Affidavit of service filed in Court today is taken on record.

The petitioner claims to be recorded owner of the plot in question and submits that the private respondents have raised unauthorised construction by encroaching upon a portion of the Government land adjoining his property, thereby obstructing his ingress and egress. The petitioner submitted a representation before the concerned authority in this regard on 3rd July, 2023 which is yet to be considered. The petitioner prays for a direction upon the concerned authority to consider the said representation at the earliest.

It is submitted on behalf of the State-respondents that the 3rd respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 3rd respondent to consider and dispose of the

representation submitted by the petitioner on 3rd July, 2023 within a period of three 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 respondents, in accordance with law.

With the above observations and directions this writ petition is disposed of.

There shall however be no order as to costs.

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

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)