

WPA 19405 of 2024

Gopal Das
Vs.
State of West Bengal & Ors.

Mr. Rajib Kumar Acharyya
Mr. B.B. Maity ... For the Petitioner.

Mr. Debjit Mukherjee
Mr. K. Bhattacharyya
Ms. P. Jana ... For the Respondent.

None appears on behalf of the State respondents nor is any adjournment prayed for on their behalf.

Mr. Bipin Ghosh who usually appears on behalf of the State is requested to represent the State.

A copy of the writ petition be served on Mr. Ghosh during the hearing of this matter.

The grievance of the petitioner is directed against the illegal and unauthorized construction by the private respondents at the subject premises.

It is submitted on behalf of the petitioner that the private respondents have unauthorizedly constructed on land which is classified as 'Jal'.

S.D. On behalf of the private respondents, it is submitted that lawful sanction plan had been obtained in respect of the impugned construction. Moreover, the impugned construction has taken place a long time ago and the grievance of the petitioner is stale and outdated.

There are also serious questions insofar as the title of the subject premises is concerned.

The State is represented and submits that they have no objection if the concerned Pradhan is directed to dispose of the above representation.

In view of the above, the respondent no. 8 is directed to consider and dispose of the representation within a period of six weeks from the date of communication of this order in accordance with law after giving a right of hearing to all the parties.

It is made clear that there has been no adjudication on the merits of the case and the respondent no. 8 is to act strictly in accordance with law without being influenced by any observation made in this order.

(Ravi Krishan Kapur, J.)

