

18
jdt.

07.02.2024
jb.

W.P.A. 18937 of 2023
(Anita Sinha @ Anita Singha & Anr. vs. State of West Bengal & Ors.)

Mr. Debasis Sur
Mr. Badruzzaman Mallick
Mr. Anujit Maity
Ms. Sarama Maity
Mr. Angshuman Patra
.... For the Petitioners
Mr. Chandi Charan De
Mr. Anirban Sarkar
.... For the State
Mr. Rabisankar Chattopadhyay
Mr. Sayan Chattopadhyay
.... For the Respondent Nos. 11-20

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

The petitioners claim to be the recorded owners of the plot in question and submit that the private respondents have raised unauthorised construction by encroaching upon a portion of PWD road adjoining their plot, thereby obstructing their egress and ingress. The petitioners submitted a representation in this regard before the concerned authority on 2nd June, 2023 which 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 private respondents submits that the private respondents have not encroached upon any portion of PWD road by raising any construction therein.

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 dated 2nd June, 2023 within three months from the date of communication of this order upon affording reasonable opportunity of hearing to all interested persons including the petitioners and the private respondents, 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.)