

12.04.2024
rc/ct.no.10
Item No.07

WPA No. 21095 of 2023
Sk. Kutubuddin Mondal
Versus
State of West Bengal & Ors.

Mrs. Priyanka Mondal ...for the petitioner

Mr. Srinath Singha Roy ...for the State

On prayer of the petitioner liberty is granted to correct the designation of the respondent no. 4 in the cause title.

The petitioner has alleged unauthorised construction raised by the private respondents by encroaching upon a portion of the PWD land adjoining his property, thereby obstructing his ingress and egress. Pursuant to an earlier order of this Court dated September 02, 2021 in WPA No. 11825 of 2021 directing the concerned authority to consider the representation submitted by the petitioner in this regard, the petitioner was verbally informed that the land in dispute was not under jurisdiction of the said authority. The petitioner has filed a fresh representation in this regard on July 19, 2023 and 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 5th respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 5th respondent to consider and dispose of the said representation submitted by the petitioner on July 19, 2023 within a period of three months from the date of communication of this order, after giving reasonable opportunity of hearing to all the affected 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)