

D/L.03.
November 29, 2024.
KAUSHIK

WPA No. 22536 of 2024

Asura Bibi @ Asura Mondal
Vs.
The State of West Bengal and Others

Mr. Mohinoor Rahaman
Mr. Iqra Rahaman
... for the petitioner.

Mr. K. J. Yusuf
Mr. Sanjoy Mukherjee
...for the State.

Affidavit of Service filed by the petitioner
be kept with the records.

The grievance of the petitioner is directed
against illegal and unauthorized construction by
the private respondent.

It is alleged on behalf of the petitioner that
despite a civil suit pending between the private
parties and an order of status quo, the private
respondents are illegally and unauthorisedly
carrying on construction at the subject premises.

The Block Development Officer (BDO) is
represented.

A communication dated September 12,
2024 is filed on behalf of concerned BDO. A
signed report has also been filed by the
concerned BDO which suggests that illegal
construction is taking place and despite the
Pradhan of the concerned Gram Panchayat being
informed, no action has taken place in respect
thereof.

In view of the fact that the representation was filed as far back as on August 1, 2024 and has not yet been disposed of, WPA 22536 of 2024 is disposed of by directing the respondent no. 6 to consider and dispose of the representation of the petitioners dated August 1, 2024 within a period of six weeks from the date of communication of this order to the said respondent and after giving a right of hearing to the affected parties including the petitioners, in accordance with law and without being influenced by any observation or direction made in this order.

It is made clear that there has been no adjudication on the merits of the case and all questions are left open to be decided by the respondent no. 6 in accordance with law.

Since no affidavits have been called for, the allegations contained in the writ petition are deemed to have not been admitted by the respondents.

There shall be no order as to costs.

Urgent Photostat certified copy of this order, if applied for, be made available to the parties upon compliance of necessary formalities.

(Ravi Krishan Kapur, J.)