

658
20.02.2024
Ct. No.10
b.das

WPA 21917 of 2023

Nakul Santra & Ors.
Vs.
The State of W.B. & Ors.

Mr. Shibjit Mitra
Mr. Subhasish Mitra ...for the petitioners.

Mr. Amitava Chaudhuri
Mr. Samrat Paul ...for the State.

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

None appears for the private respondents despite service.

Heard learned counsels for the parties.

The petitioners claim to be co-owners in respect of the plot in question along with the private respondents and submit that the private respondents are trying to raise unauthorised construction by encroaching upon a portion of the PWD road adjoining the petitioners' property, thereby obstructing their egress and ingress.

The petitioners submitted a representation in this regard before the concerned authority on 7th August, 2023, which is yet to be considered. The petitioners pray for a direction upon the concerned authority to consider the representation at the earliest.

Learned counsel for the State respondents submits 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 petitioners dated 7th August, 2023 within three months from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioners and the private respondents, in accordance with law.

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 supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)