

04-12-2024
Item No.9
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
Appellate Side

WPA No.23110 of 2024
Prem Kumar Pradhan

-vs-

The State of West Bengal & Ors.

Mr. Sayantan Bose
Ms. Priyanka Gope ...for the petitioner

Mr. Rabindra Narayan Dutta
Mr. Moidul Islam Kajal ...for the State

Mr. Abu Jafar
Mr. Rameshwar Sinha
Ms. Dipanwita Laha
Ms. Debanjana Sen ...for the private respondents

The grievance of the petitioner is directed against illegal and unauthorized construction by the private respondents at the subject premises. It is submitted on behalf of the petitioner that despite a representation dated July 23, 2024 and subsequent communications issued pursuant thereto, the concerned Pradhan being the respondent no.12 has taken no steps in the matter.

On behalf of the Pradhan, it is submitted that he has no objection if an appropriate direction be granted for disposal of the said representation within a stipulated time-period.

On behalf of the private respondents, it is submitted that the entire allegation of unauthorized or illegal constructions is without any basis and false. The complaint is misconceived. In fact, it is the petitioner who is guilty of unauthorised construction of a boundary

wall. It is further submitted that the private respondents have obtained all necessary permission and statutory compliances.

In view of the submissions made on behalf of the respective parties, WPA No.23110 of 2024 is disposed of by directing the respondent no.12 to consider and dispose of the representation dated July 23, 2024 within a period of eight weeks from the date of communication of this order, after giving an opportunity of hearing to all the parties in accordance with law.

It is made clear that there has been no adjudication on the merits of the case and all questions are left open. The respondent no.12 is to act strictly in accordance with law without being influenced by any observation made in this order and after hearing all the parties.

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

All parties are to act on the server copy of this order duly downloaded from the official website of this Court.

Certified copy of this order, if applied for, shall be made available to the parties.

[Ravi Krishan Kapur, J]

