

WPA 22799 of 2023

**Fajila Begum Educational & Welfare Trust & Anr.
Vs.
The State of W.B. & Ors.**

Mr. Usuf Ali Dewan
Mr. Asif Dewan ...for the petitioners.

Mr. Chandi Charan De
Mr. Anirban Sarkar ...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 the recorded owners of the plot in question and run a nursing school, college and hostel therein. The petitioners complain that the private respondents are trying to raise unauthorised construction by encroaching upon a portion of the government land adjoining their property, thereby obstructing the smooth functioning of the college.

The petitioners submitted a representation in this regard before the concerned authority on 5th June, 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 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 submitted by the petitioners dated 5th June, 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.)