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jdt.

04.01.2024

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W.P.A. 23257 of 2023
(Sk. Abdul Basar & Ors. vs. State of West Bengal & Ors.)

Mr. Robiul Islam
Jayeed Hossain
... For the Petitioners

Ms. Mousumi Choudhury
Md. Ziaur Rahaman
... For the State

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

None appears for the private respondents despite service.

The petitioners claim to be recorded owners of the plot in question and submit that the private respondents have raised unauthorised construction by encroaching upon a portion of the Government land adjoining their plot, thereby obstructing their egress and ingress. The petitioners submitted a representation in this regard before the concerned authority on 31st August, 2023 which is yet to be considered. The petitioners pray for a direction upon the authority to consider the representation at the earliest.

Learned counsel for the respondents submits that the 4th respondent be directed to consider the representation, in accordance with law.

In view of the above, the writ petition is disposed of directing the 4th respondent to consider and dispose of the representation submitted by the petitioners dated 31st August, 2023 within three months from the date of communication of this order upon affording reasonable opportunity of hearing to all concerned including the petitioners and the private respondents, in accordance with law.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)