

D/L.17.
November 29, 2024.
KAUSHIK

WPA No. 24765 of 2024

Samir Kumar Das
Vs.
The State of West Bengal and Others

Mr. Ashis Kumar Chowdhury
Mr. Rajib Ghosh
Mr. B. B. Bera
... for the petitioner.

Mr. Arjun Roy Mukherjee
Mr. Anik Biswas
...for the State.

The grievance of the petitioner is directed against a representation dated October 3, 2023 seeking permission to protect the subject premises.

The State is represented and submits that the permission sought for by the petitioner cannot be authorized.

In view of the fact that the representation was filed as far back as on October 3, 2023 and has not yet been disposed of, WPA 24765 of 2024 is disposed of by directing the respondent no. 2 to consider and dispose of the representation of the petitioners dated October 3, 2023 within a period of six weeks from the date of communication of this order to the said respondent 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.

In disposing of the above representation, the concerned authority will also take into consideration the applicability of section 26 of the Panchayat Act, 1973 and deal with the same as contended on behalf of the petitioner.

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. 2 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.)