

04.01.2024  
rc/ct.no.10  
Item No.22

**WPA No. 26215 of 2022**  
**Abul Hossain**  
**Versus**  
**The State of West Bengal & Ors.**

Mr. Saptarshi Chakraborty      ...for the petitioner

Mr. Chandi Charan De  
Mr. Anirban Sarkar                      ...for the State

Affidavit of service filed in Court today is taken on record.

None appears on behalf of the private respondents despite service.

The petitioner claims to be recorded owner of the plot in question and submits that the private respondents have raised unauthorised construction by encroaching upon a portion of the PWD land adjoining his property, thereby obstructing his ingress and egress. The petitioner has submitted a representation before the concerned authority on October 18, 2022 which is yet to be considered. The petitioner prays for a direction upon the concerned authority to consider the representation at the earliest.

It is submitted on behalf of the State respondents that the 3<sup>rd</sup> respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 3<sup>rd</sup> respondent to consider and dispose of the

representation submitted by the petitioner on October 18, 2022 within a period of three months from the date of communication of this order, after giving reasonable opportunity of hearing to all the interested persons including the petitioner and the private respondents, in accordance with law.

With the above observations and directions this writ petition is disposed of.

There shall be, however, 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 furnished to the parties upon compliance of necessary formalities.

**(Suvra Ghosh,J)**