

March 11, 2024
ARDR (694)

WPA 25674 of 2023

Sunil Sikdar
Vs.
The State of West Bengal & ors.

Adv. Mukteswar Maity,
Adv. Manika Sarkar,
...for the petitioner.
Adv. Moniruzzaman,
Adv. Subhajit Chowdhury,
...for the State.

Affidavit of service filed by the petitioner is taken on record.

It is contended on behalf of the petitioner that the petitioner and his mother were granted *patta* in respect of plots in question from the Refugee Relief and Rehabilitation Department. Though the petitioner has been in possession of the plot in LOP 143 and his mother in possession of the plot in LOP 144, the petitioner's plot has been recorded as LOP no.144 and his mother's plot as LOP no. 143 in the *pattas* granted in their favour. The petitioner submitted a representation for rectification in this regard before the concerned authority on 20th September, 2023 which is yet to be considered. The petitioner prays for a direction upon the authority to consider the representation at the earliest.

Learned counsel for the respondents submits that the *pattas* were issued before about 28 years and the petitioner has been possessing the land in question for such long period without seeking rectification of the

pattas. Also, the petitioner's mother has not been made a party to the writ petition.

Be that as it may, this Court is inclined to hold that since the representation submitted by the petitioner before the concerned authority is pending, the concerned authority, being the 2nd respondent herein, be directed to consider and dispose of the same within one month from the date of communication of this order upon affording reasonable opportunity of hearing to all concerned including the petitioner and his mother, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner within a week thereof.

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

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.)