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29.11.2024
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 27152 of 2024

Abdulla Mallick
Vs.
The State of West Bengal & Ors.

Mr. Sani Hossain,
Ms. Salma Sultana Shah,
Mr. Miraj Hossain
...for the petitioner

Mr. Susovan Sengupta,
Mr. Subir Pal
...for the State

The grievance of the petitioner is directed against non-consideration of his representation dated October 14, 2024 complaining of illegal construction in respect of the subject premises. It is submitted on behalf of the petitioner that notwithstanding an order of status quo passed in a civil suit pending between the petitioner and the private respondents, the private respondents are unlawfully and illegally carrying on with the construction without any sanction or lawful authority.

On behalf of the State respondents, it is submitted that they have no objection if the representation dated October 14, 2024 is directed to be disposed of in accordance with law by the Block Development Officer, Jangipara Block, District-Hooghly, being the respondent no. 5 herein.

In view of the above, W.P.A. No. 27152 of 2024 stands disposed of by directing the respondent no. 5 to consider and dispose of the representation of the petitioner within six weeks from the date of communication of this order to the said respondent.

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. 5 strictly in accordance with law.

Since no affidavits have been called for, the allegations contained in the writ petition are deemed to be not 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.)