

12.03.2024
rc/ct.no.10
Item No.673

WPA No. 26135 of 2023
Haradhan Mondal & Anr.
Versus
State of West Bengal & Ors.

Mr. Tanmay Basu	
Mr. Dip Kayal	
Mr. Debdip Mandal	
Ms. Ambika Sasmal	...for the petitioners
Mr. Ayan Banerjee	
Mr. Suman Banerjee	...for the State

Affidavit of service filed in Court today 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 PWD land adjoining their property, thereby obstructing their ingress and egress. The petitioners submitted a representation in this regard before the concerned authority on September 11, 2023 which is yet to be considered. The petitioners pray 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 3rd respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 3rd respondent to consider and dispose of the representation submitted by the petitioners dated September 11, 2023 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 petitioners and the private respondents, in accordance with law.

With the above observations and directions this 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)