

D/L. 7.
April 16, 2024.
MNS.

WPA No. 26306 of 2023

Debasish Chakraborty
Vs.
The State of West Bengal and others

Mr. Shiladitya Barma,
Mr. Simanta Kabir,
Ms. Priyanka Ghosh

... for the petitioner.

Mr. Nabajit Prasad Basu,
Mr. Arindam Mitra

...for the State.

1. Affidavit-of-service filed in Court today be kept on record.

2. Learned counsel for the petitioner contends that petitioner, after the demise of his uncle, who succeeded his father insofar as the present property is concerned, made a claim for being heard to satisfy the respondent authorities that the petitioner, as the only surviving and entitled heir of his uncle, has the right to have the flat-in-question No. T/6 at Block No. 6, transferred in his name.

3. It is submitted that the property comes within the purview of a Refugee Relief and Rehabilitation Scheme and as such, the same is heritable and the petitioner is entitled to the flat. In the meantime, steps to demolish the property is under way at the behest of the Kolkata Municipal Corporation, for

which the petitioner apprehends that unless immediate hearing is given to the petitioner, the cause of action may be rendered infructuous.

4. Heard learned counsel for the parties.

5. The petitioner is justified in contending that he has to be given an opportunity to satisfy the respondent authorities as to his purported entitlement to have his name included as the occupier/owner of the flat-in-question under the Refugee Relief and Rehabilitation Scheme.

6. Accordingly, WPA No. 26306 of 2023 is disposed of by directing the respondent no. 2, that is, the Deputy Refugee Rehabilitation Commissioner, Kolkata District Refugee Relief and Rehabilitation Office, to consider and decide on the representation given by the petitioner, which is annexed to the writ petition, in accordance with law upon giving to the petitioner an opportunity of hearing and to produce documents, as expeditiously as possible, positively within three weeks from date.

7. There will be no order as to costs.

8. Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)