

M/L.07.
December 02, 2024.
KAUSHIK

WPA No. 27615 of 2024

Lakshmikanta Manna
Vs.
The State of West Bengal and Others

Mr. Sabyasachi Hazra
... for the petitioner.

Mr. Amitabrata Ray
Ms. Dishani Kanjilal
Mr. Arka Ghosh
... for the respondent nos. 8 & 9.

Ms. Jhuma Chakraborty
Ms. Munmun Tewary
... for the State.

The grievance of the petitioner is directed against non-consideration of the representation dated October 22, 2024.

It is submitted on behalf of the petitioner that the private respondents have fraudulently and illegally obtained a sanctioned plan in respect of a proposed construction to be carried out in the premises belonging to the petitioner.

On behalf of the private respondents, it is submitted that the petitioner and the private respondents are relatives and the instant writ petition has been filed to wreak personal vengeance arising out of a family dispute. It is further submitted that the land in which the construction is to be carried out does not belong

to the petitioner. In such circumstances, there is no merit in the claim made on behalf of the petitioner and the same is liable to be rejected.

The State respondents are represented and submit that they have no objection if the respondent no. 5 is directed to consider and dispose of the representation of the petitioner dated October 22, 2024 in accordance with law.

In view of the above, WPA 27615 of 2024 is disposed of by directing the respondent no. 5 to consider and dispose of the representation of the petitioner dated October 22, 2024 within a period of six weeks from the date of communication of this order to the said respondent and after giving a right of hearing to all the affected parties including the petitioners, in accordance with law and without being influenced by any observation made in this order.

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.

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