

M/L.12.
December 02, 2024.
KAUSHIK

WPA No. 27827 of 2024

Soumen Das
Vs.
The State of West Bengal and Others

Mr. Syed Nasirul Hossain
Mr. Md. Jalaluddin
Mr. Debasish Maji
... for the petitioner.

Mr. Sudip Sarkar
Ms. Oindrila Chatterjee
... for the State.

Mr. Dyutiman Banerjee
Mr. Salil Kumar Maiti
...for the private respondent

The grievance of the petitioner is directed against non-consideration of a representation dated June 28, 2024.

The petitioner submits that despite a representation having been filed as far back as June 28, 2024, the respondent authorities and more particularly the Pradhan being the respondent no. 5 has taken no action in the matter. The petitioner alleges illegal and unauthorized construction by blocking the petitioner's ingress and egress in the subject premises.

The State respondents are represented and submit that pursuant to a General Diary, a complaint has been lodged with the Police by the

petitioner and appropriate action has been taken. The Report dated November 27, 2024 be kept with the records.

Insofar as the private respondents are concerned, it is submitted that the disputes between the parties are civil in nature and a civil suit is also pending before the Appropriate Court.

The submission on behalf of the private respondent suggest that any civil suit is pending between the petitioner and the private respondent.

In view of the above, WPA 27827 of 2024 is disposed of by directing the respondent no. 5 to consider and dispose of the representation of the petitioners dated June 28, 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 or direction 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.)