

WPA 27802 of 2024

Md. Ersad Ali
Vs.
The State of West Bengal & Ors.

Mr. Uday Narayan Betal
Mr. Bhaskar Hutait ... **For the Petitioner.**

Ms. Manali Biswas
Mr. Mrinal Saha ... **For the respondent nos. 7, 9 and 13 to 13.**

Mr. Anirban Bose ... **For the State.**

The grievance of the petitioner is directed against non-consideration of a representation dated 26th August, 2024, inter alia, alleging illegal and wrongful construction by the private respondents.

The private respondent nos. 7, 9 and 13 to 18 are represented and submit that there is no merit in the complaint of the petitioner and the same has been filed to wreak personal vendetta against the private respondent.

It is further submitted on behalf of the private respondents that on the self-same cause of action, the petitioner had filed an earlier civil suit which has subsequently been withdrawn.

In view of the above, there is no merit in the allegation made on behalf of the petitioner and the same is liable to be dismissed.

S.D.

The State is represented and submits that they have no instruction in the matter.

Be that as it may and in view of the fact that a

representation filed as far back as on 26th August, 2024 has been kept pending for such a long time, the respondent no. 6 is directed to consider and dispose of the representation dated 26th August, 2024 within a period of six weeks from the date of communication of this order and after giving a right of hearing to all the affected parties including the private respondents.

It is made clear that there has been no adjudication on the merits of the case and the respondent no. 6 is to act strictly in accordance with law without being influenced by any observation made in this order and after hearing all the parties.

All issues raised by the petitioner have been taken into consideration including the fact that the civil suit prior to the filing of the writ petition has been withdrawn by the petitioner.

Affidavit of Service filed on behalf of the petitioner in Court today be kept with the record.

All the papers are before this Court. Affidavits were not invited. The allegations contained in the writ petition are deemed not to have been admitted.

The writ petition being WPA 27802 of 2024 stands disposed of.

(Ravi Krishan Kapur, J.)

