

04.12.2024
Ct. No. 2
Sl. No. 37
tbsr

WPA 28211 of 2024

Sandhya Rani Mahata
Vs.
State of West Bengal & Ors.

Mr. Lalratan Mondal
Mr. Dilip Kumar Sadhu
....for the petitioner

Mr. Syed Shamsul Arefin
Ms. Deblina Mukherjee
....for the State

Affidavit of service, filed in court today, is taken
on record.

Mr. Lalratan Mondal, learned counsel appears for
the petitioner.

Mr. S. S. Arefin, learned State counsel appears
for respondent nos. 1 to 7.

Respondent no. 8 is not represented.

The petitioner complains of that for the purpose
of an alleged extension of road of PWD authority seeks to
utilize the land of the petitioner which is situated
immediately beside the PWD land without initiating any
acquisition process. The petitioner has submitted its
representation dated **October 30, 2024 at page 30** to
the writ petition, but the same has not been considered.

In view of the above, the petitioner shall serve a copy of the complete set of writ petition upon the respondent no. 3 within seven days from date.

The respondent no. 3 then after issuing a prior hearing notice of at least **seven days** to the petitioner and the respondent no. 8 and after granting them an opportunity of hearing shall decide the issue in the light of the case made out in the writ petition by passing a reasoned order in accordance with law.

The entire exercise shall be carried out and completed by the respondent no. 3 positively within a period of **six weeks** from the date of receiving a copy of the writ petition along with a copy of today's order to be served by the petitioner. The reasoned order shall be communicated to the petitioner and the respondent no. 8 positively within a period of **one week** from the date of the said reasoned order to be passed.

It is made clear that widening of PWD road involves public purpose. Therefore, if the PWD authority requires the land of the petitioner for widening or extension of PWD roads or for any construction in connection there with, PWD authority shall proceed following the due process of law in respect of the land of the petitioner or any portion of it.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations and directions, this writ petition, **WPA 28211 of 2024** stands **disposed of**, without any order as to costs.

Urgent certified photo copy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Aniruddha Roy, J.)