

716
22.03.2024
Ct. No.10
b.das

WPA 27664 of 2023

Debapam Ghosh & Anr.
Vs.
The State of W.B. & Ors.

Mr. Ramij Munsii
Ms. Champa Pal
Ms. Muskan Agarwal ...for the petitioners.

Mr. Chandi Charan De
Mr. Anirban Sarkar ...for the State.

Affidavit of service filed by the petitioners is taken on record.

None appears for the private respondents despite service.

Heard learned counsels for the parties.

Learned counsel for the petitioners submits that by an order passed on 7th November, 2022 in WPA 4887 of 2020 this Court granted liberty to the petitioners to submit a comprehensive representation before the concerned authority and directed the authority to consider and dispose of the same within a stipulated time frame. The petitioners' grievance therein was encroachment of PWD land adjoining their property by the private respondents by raising unauthorised construction therein.

Learned counsel submits that the said order has not been complied with as yet, for which the petitioners have submitted a further representation before the concerned

authority (annexure P-5 to the writ petition), which has also not been considered till date. The petitioners pray for a direction upon the authority to comply with the earlier order of this Court and consider the representation submitted by them at the earliest.

Learned counsel for the State respondents submits that the 4th respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 4th respondent to consider and dispose of the representation submitted by the petitioners (annexure P-5 to the writ petition) and also comply with the order of this Court dated 7th November, 2022 in WPA 4887 of 2020 within three months from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioners and the private respondents, in accordance with law.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)