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20.11.2024
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 28680 of 2022

Biswajit Ankure
Vs.
The State of West Bengal & Ors.

Mr. Timir Baran Saha
...for the petitioner

None appears on behalf of the State respondents nor is any adjournment prayed for on their behalf.

The matter has been repeatedly adjourned when the State has been unrepresented.

Mr. Nilotpal Chatterjee, Advocate, who usually appears on behalf of the State, is requested to represent the State. The services of Mr. Chatterjee be regularized by the Legal Remembrancer.

The petitioner serves a copy of the writ petition in Court on Mr. Chatterjee.

The grievance of the petitioner pertains to illegal and unlawful construction on his premises by the respondent statutory authorities. It is alleged on behalf of the petitioner that the respondent authorities are unlawfully and illegally attempting to construct an approach road on the premises belonging to the petitioner. It is also alleged that because of acrimony by and between the petitioner and the private respondents, the petitioner's father

had been assaulted and ultimately expired due to severe injuries caused by the private respondents. The petitioner relies on an enquiry Report of the concerned Block Land & Land Reforms Officer to demonstrate that the alleged construction has been made on the land of the petitioner.

The grievance of the petitioner pertains to non-consideration of the representation dated August 03, 2022 followed by a letter of the petitioner's Advocate dated September 12, 2022 both of which have not been considered by the respondent statutory authorities.

The State respondents are represented and submit that they have no objection if the concerned Pradhan, being the respondent no. 5, is directed to consider the representation of the petitioner dated August 03, 2022 in accordance with law.

In view of the above, W.P.A. No. 28680 of 2022 stands disposed of by directing the respondent no. 5 to consider and dispose of the representation dated August 03, 2022 within a period of eight weeks from the date of communication of this order and after giving an opportunity of hearing to all the affected parties.

It is made clear that there has been no adjudication on the merits of the case and all questions are left open for the respondent no. 5 to be decided in accordance with law and without

being influenced by any observation made in this order.

There will 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.)