

17.12.2024
Sl. No. 55
g.b.
Court No.10
265717

WPA 28840 of 2023

Rahima Begam
-Vs-
The State of West Bengal & Ors.

Mr. Mahfuzus Salam Mollah
.....For the Petitioner
Mr. Amal Kr. Sen
Ms. Ashima Das (Sil)
.....For the State
Mr. Amitabha Ghosh
Ms. Nabanita Chatterjee
....For the Respondent No.5

Affidavit of Service filed be kept with the records.

The grievance of the petitioner is directed against the non-consideration of a representation dated 16th October, 2023 complaining of an alleged illegal and unauthorized construction by the private respondents.

The State respondents are represented and submit that they have no objection if the concerned Block Development Officer, being the respondent no.2 herein, is directed to consider and dispose of the representation lodged by the petitioner dated 16th October, 2023 in accordance with law.

The private respondents are represented and submit that there is a pending civil suit between the

private parties and an order of injunction is still subsisting passed by the competent Civil Court.

In view of the rival submission on behalf of the parties, WPA 28840 of 2023 is disposed of by directing the respondent no.2 to consider and dispose of the representation of the petitioner dated 16th October, 2023 within a period of 6 weeks from the date of communication of this order to the said respondent after giving a right of hearing to all the concerned parties, in accordance with law.

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.2 without being influenced by any observation or direction made in this order.

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.)