

S/L 19
03.12.2024
Court No.2
SD

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE

WPA 2562 of 2024

Pradeep Agarwal @ Pradip Agarwal
Vs.
The State of West Bengal & Ors.

Mr. Sandip Guha Roy

...for the Petitioner.

*Mr. Hirak Barman
Mr. Bikash Singha*

...for the State.

Mr. Pretom Das

...for the Dhupguri Municipality.

Ms. Supriya Singh

...for the Respondent No.8.

Affidavit of service filed on behalf of the petitioner
be kept with the record.

The petitioner had filed a writ petition being *WPA 235 of 2024* alleging that there are some unauthorized structures in front of his purchased land, but the Dhupguri Municipality is not taking any action to remove those structures.

A direction was passed in the said writ petition directing the Chariman of the said Municipality, the respondent no.7 herein to consider the prayer of the petitioner. The said respondent, by an order dated January 05, 2024 has disposed of the said prayer of the petitioner holding that those structures are on the Asian Highway 48 (AH-48); therefore, the Municipality has no authority to remove those structures.

The petitioner is now praying for a direction upon the Asian Highway authorities for removal of the said structures.

The petitioner is granted liberty to give a comprehensive representation, ventilating his grievances, to the Project Director, Asian Highway – 48, the respondent no.8 herein, within a period of **seven days from date**; if

such representation is given, the said respondent shall consider it expeditiously, in accordance with law, if necessary, after giving the petitioner an opportunity of hearing.

WPA 2562 of 2024 is disposed of with the above terms without any order as to costs.

Parties to act on the server copy of this order duly downloaded from the official *website* of this Court.

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

(Biswajit Basu, J.)