

D/L.18.
January 17, 2025.
KAUSHIK

WPA No. 214 of 2025

Kowsar Sardar
Vs.
The State of West Bengal and Others

Mr. Chandra Nath Sarkar
... for the petitioner.

Sk. Samiul Hoque
... for the private respondent.

Mr. Tapash Kumar Mondal
... for the Silla Parishad.

Mr. Sourav Sen
Mr. P. K. Bharara
... for the State.

Affidavit of Service filed in Court be kept
with the record.

The grievance of the petitioner is directed
against non-consideration of the representation of
the petitioner dated December 3, 2024, inter alia,
complaining of the private respondents not having
left the mandatory open space in carrying out
construction work.

It is submitted on behalf of the petitioner
that the private respondents have constructed a
three storied building without leaving the
mandatory open space.

The private respondent is represented and
submits that they have a sanctioned building
plan.

The Zilla Parishad is represented and submits that they have no role to play in the matter.

On behalf of the State respondents, it is submitted that they have no objection if the respondent no. 6 is directed to consider and dispose of the representation of the petitioner dated December 3, 2024 in accordance with law.

In view of the above, WPA 214 of 2025 is disposed of by directing the respondent no. 6 to consider and dispose of the representation of the petitioner dated December 3, 2024 within a period of six weeks from the date of communication of this order to the said respondent and after giving a right of hearing to all the affected parties including the petitioner, in accordance with law and without being influenced by any observation made in this order.

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. 6.

Since no affidavits have been called for, the allegations contained in the writ petition are deemed to have not been admitted by the respondents.

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.)