

WPA 1887 of 2024***Sasanka Barman & Anr.******Vs.******The State of West Bengal & Ors.***

Mr. Anup Dasgupta

...for the petitioners

Mr. Chittapriya Ghosh

Mr. Goutam Acharya

Ms. Priyanka Saha

...for the respondent No. 8

Affidavit-of-service filed on behalf of the petitioners is taken on record.

Despite service no one appears on behalf of the State, although the private respondent is represented.

Learned counsel appearing for the petitioner submits as follows. The private respondent had come up with illegal construction over the public land belonging to the Irrigation and Water Ways Department. This is blocking the ingress and egress to the petitioners' property. Accordingly, the petitioners made a representation before the concerned authorities on 30.11.2023 including the Sub-Divisional Officer, Egra – 1, East Medinipur for taking action in terms of the West Bengal Public Land (Eviction of Unauthorised Occupants) Act, 1962. The same has not even responded to as yet.

Learned counsel appearing on behalf of the private respondent denies the allegations and submits that the two representations made by the petitioners are contradictory to each other.

It appears that a representation dated 30.11.2023 is pending consideration of the petitioners before the concerned authorities.

In view of the above, let the respondent No. 3 consider the petitioners' representation dated 30.11.2023 in accordance with law and upon hearing all the interested parties as expeditiously as possible, preferably within 8 weeks from the date of communication of this order.

It is clarified that the merits of the case have not been gone into.

With these observations, the writ petition is disposed of.

As affidavits were not called for, allegations made in the writ petition are deemed not to have been admitted.

Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(Jay Sengupta, J)