

20.05.2025
Item No. 22
Ct. No. 30
AN

WPA 2643 of 2020
Banamali Naskar
vs.
State of West Bengal & ors.

Mr. Tarun Jyoti Tewari
Ms. Koushiki Bose
Mr. Dipankar Bhakta

... for the petitioner

Mr. Diptomoy Talukder
Mr. Abhiraj Tarafdar
Mr. T. Talukder

... for private respondents

Mr. Ranjit Rajak

... for the State

The present writ application has been preferred praying for direction upon the respondent authorities to stop the illegal construction over the Dag No. 446 under Khatian No. 294 Mouza Jotvim, J.L. No. 3 under Police Station Bhangar (now under Kolkata Leather Complex Police Station), situated within Bamandanga Gram Panchayat, Haldia, South 24 Parganas.

At the time of hearing learned counsel appearing for the petitioner submits that the writ petition may be disposed of by directing the authorities to consider the petitioner's representation which is annexed at pages 24 and 25 of the writ application.

It is further submitted that though the representations have been filed on 15.01.2020 and

19.01.2020, no action has been taken by the respondent authorities.

Learned counsel representing the State has placed a report. A copy of the same be served upon the learned counsel appearing for the petitioner and the private respondent.

It appears that the report placed by the State, has been submitted by the Officer-in-Charge, Kolkata Leather Complex Police Station. The report relates to an attempt by the said Police Officer to settle the dispute between the parties wherein it appears that the respondents have not cooperated.

Learned counsel appearing for the private respondents submits that the parties are related to each other and as the dispute is civil in nature, the petitioner's relief lies before the civil court.

On hearing learned counsel for the parties and considering the materials on record including the report filed, the writ application is **disposed of** with the direction that the respondent authorities, mainly, being respondent no. 2 shall consider and dispose of the representation of the petitioner herein which is annexed at page 24 and 25 of the writ application on giving an opportunity of hearing to the parties herein and on considering the materials on record before the authority, the representations be disposed of in accordance with law by passing a reasoned

order within 60 days from the date of communication of this order.

In case, the copies of the representations are not available with respondent no. 2, the petitioner is at liberty to file copies of the same before the authority concerned.

There will be no order as to costs.

Urgent certified photostat copy of this order, if applied for, shall be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Shampa Dutt (Paul), J.)