

January 20, 2025
AD 8
Ct. 17
SG

WPA 5935 of 2023

Hamida Begum
vs.
The State of West Bengal and others

Mr. Salil Kumar Maiti
Ms. Pinki Saha
... for the petitioner

Ms. Sweta Mukherjee
Mr. Ratul Das
... for the State

No one appears on behalf of the private respondent despite service.

Learned counsel for the petitioner submits as follows. The private respondent has come up with unauthorised construction on public land immediately in front of the petitioner's land being LR Plot No.190. The construction is absolutely illegal and is partly blocking the petitioner's property. On 24.01.2023, the petitioner made representation before the concerned authorities including the Sub-Divisional Officer, Haldia to take action in this regard in terms of the West Bengal Public Land (Eviction of Unauthorised Occupants) Act, 1962. Yet, the same has not been responded to.

Learned counsel for the State submits that if any representation is pending consideration before the authorities, the same will be considered in accordance with law.

It appears that the petitioner's representation dated 24.01.2023 is pending consideration before the respondent authorities.

In view of the same, the respondent No.3 shall consider the petitioner's representation dated 24.01.2023 in accordance with law and upon hearing the interested parties as expeditiously as possible, preferably within a period of eight 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, the allegations made are deemed not to have been admitted.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)