

Item. 9

17.01.2025
ssi

Ct. 17

**WPA 8573 of 2023
CAN 1 of 2024**

Sujit Patra & anr.

-vs-

State of West Bengal & ors.

Mr. Salil Kumar Maiti
Ms. Pinki Saha
Ms. Dalan Samanta

...for the petitioners

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

Despite service, no one appears on behalf of the respondents.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the owners of plot no.706 lying at Mouza Garkamalpur in Mahishadal, Purba Midnapore. The private respondents have come up with unauthorized construction over government land which lies between an adjacent 'khal' and a 'metal road'. Such construction is blocking access and affecting day to day life of the public. The petitioners made a representation before the respondent authorities including the SDO, Haldia on 30.01.2023 for removal of such encroachment on public land and seeking action in terms of West Bengal Public Lands (Eviction of Unauthorized Occupants) Act 1962. However, the representation has not been considered as yet.

It appears that a representation dated 30.01.2023 is pending consideration before the respondent authorities.

In view of the above, let the respondent no.3 consider the petitioners' representation dated 30.01.2023 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.

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

With these observations, the writ petition is disposed of.

CAN 1 of 2024, accordingly, stands disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)