

28.07.2025
Item No.32
gd/ssd

WPA(P)/214/2025
MALAY KUMAR GHOSHAL KUMAR OF
SUNDERBANS
VS
UNION OF INDIA AND ORS.

Mr. Swarup Banerjee,
Mr. Arindam Chatterjee,
Mr. Subham Biswas
..for the Petitioner.

Mr. Sukanta Chakraborty
..for the Union of India.

Mr. Jahar Lal De
..for the State.

1. The learned counsel for the petitioner and learned counsel for the Union of India are present.

2. When the matter is called on, no one is represented for the State.

3. Mr. Jahar Lal De, learned Advocate, who usually appears for the State and is present in court today, is requested to appear in this matter.

4. Let his appointment be regularized.

5. With the consent the matter is finally heard.

6. The learned counsel for the petitioner pointed out that when the petitioner's representation dated 23rd September, 2024 was received by the Additional District Magistrate (Dev) South 24-Parganas, by Memo No.505/Plan dated 3.10.2024 informed the petitioner for appearing before him on 22.10.2024. The petitioner

by communication dated 13th October, 2024 (page 55) informed about his inability to attend the hearing and asked for a further hearing. Thereafter learned counsel for the petitioner submits that no further hearing was provided nor any outcome is communicated to the petitioner.

7. Considering the aforesaid and as agreed by parties, we deem it proper to dispose of this PIL by directing the Additional District Magistrate (Dev), South 24-Parganas to provide fresh hearing to the petitioner in accordance with law and to take a decision on petitioner's complaint dated 23rd November, 2024 (if not already taken). In the event any decision was already taken, copy whereof be provided to the petitioner forthwith.

8. It will be lawful for the Additional District Magistrate to conclude the hearing (if not already concluded) within 90 days from the date of communication of this order.

9. This PIL is disposed of without expressing any opinion on the merits of the case.

(SUJOY PAUL, J)

(SMITA DAS DE, J.)