

07.07.2025

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Ct.No.7
sdas

WPA 18783 of 2021
with
CAN 1 of 2022

Sk. Sahalam & Anr.
Vs.
State of West Bengal & Ors.

Mr. Dilip Kumar Sinha
.....for the petitioners

In Re : CAN 1 of 2022

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

Despite service, respondents are unrepresented.

Mr. Sinha, learned Advocate representing the
petitioners, submits that during the pendency of this writ
petition, Petitioner No. 1 passed away. He was survived by
his wife and three daughters, who have filed this application
for substitution. He submits that, in the interest of justice,
they should be allowed to be brought on record.

Having heard the learned Advocate representing the
petitioners and upon perusal of the materials on record, I
am satisfied that the applicants, whose particulars have
been detailed in paragraph 2 of this application, are sui
juris and that the right to sue survives in their favour.

Accordingly, this application for substitution is
allowed.

The legal heirs of the petitioner no. 1, since deceased, as detailed in paragraph-2 of this application being CAN 1 of 2022 , be substituted in place of petitioner no. 1.

Office is directed to make necessary amendment of the cause title of this writ petition.

Application being CAN 1 of 2022 is, thus, disposed of.

In Re : WPA 18783 of 2021

Having heard the submissions advanced by Mr. Sinha, learned Advocate, and upon perusal of the materials on record, the writ petition is disposed of with a direction to the Executive Engineer to consider the representation dated 10th March, 2021, submitted by the predecessor-in-interest of the substituted applicants, after affording an opportunity of hearing to the representative of the present applicants as well as the private respondents. If the Executive Engineer finds merit in the petitioners' contentions, appropriate follow-up steps shall be taken in accordance with law. If he finds that the petitioners' contentions are without substance, a reasoned order shall be passed and communicated to the petitioners.

The entire exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

In view of the above observations and order, the writ petition is, thus, disposed of.

There shall be no order as to costs.

(Partha Sarathi Chatterjee, J.)