

19.03.2025
Ct. No. 30
S.L. No.21
SM

WPA 20917 of 2019
Ensan Sekh
Vs.
State of West Bengal & Ors.

Mr. Sarbananda Sanyal
.....for the petitioner

The present writ application of the year 2019 has been preferred praying for direction upon the respondent authorities to remove and demolish the illegal construction made by the private respondent on Dag No. 2233 which is the adjacent land of the petitioner.

It is further submitted that in spite of submitting a representation dated 25.07.2019 the respondent authorities have not acted upon the same till date. Affidavit-of-service filed shows due service. In spite of due service there is no representation on behalf of any of the respondents.

Considering the said fact the writ application on consideration is disposed of with the direction that the respondent nos. 3 & 4 shall consider the representation dated 25.07.2019 submitted by the petitioner herein and in case a copy is not with the said respondents. The petitioner is granted liberty to file a fresh copy with the respondents which shall be considered by the respondent nos. 3 & 4 on hearing the petitioner and in accordance with law.

On completion of hearing a reasoned order shall be passed and in case it is found that there has been unauthorized construction as stated by the petitioner the respondent nos. 3 & 4 shall act in accordance with law. The petitioner herein is directed to submit a copy of the representation with the respondent nos. 3 & 4 within 7 days from the date of this order and on receipt of the same the said respondents will dispose of the same within 30 days thereafter and in case any unauthorized construction is found the respondents shall take steps thereafter in accordance with law in respect of the unauthorized construction within 30 days thereafter by following the guidelines of the Supreme Court in respect of demolition of unauthorized construction which shall include a physical verification and inspection in presence of the respective parties with due notice.

WPA 20917 of 2019 stands disposed of.

Applications, if any, connected thereto stand disposed of consequently.

Interim order, if any, stands vacated.

Photostat certified copy of this order, if applied for, being given to the parties on priority basis upon compliance of all formalities.

[Shampa Dutt (Paul). J]