

M/L 122
04.03.2025
Court No.14
PRADIP

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 23178 of 2023

Sri Krishnendu Khamari & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Manoranjan Jana
Ms. Mitali Jana

...for the Petitioners.

Ms. Rita Patra
Ms. P. Das
Mr. Pradip Bose

...for the private respondent nos.8-11.

1. None appears on behalf of the State respondents despite service.
2. Affidavit of service filed in Court today is taken on record.
3. Leave granted to the advocate on record of the private respondents to file vakalatnama in the department by tomorrow.
4. The prayer made by the petitioners for removal of illegal encroachment over the PWD land is pending consideration before the Assistant Engineer, Public Works Directorate, PWD (Roads) being the respondent no. 3 herein.
5. Learned advocate representing the private respondents submits that, the private respondents are carrying on business from the said place for a considerable period of time.
6. There is nothing on record to suggest that, the private respondents were given permission/license to run business from the public land.
7. In view of the above, the respondent no.3 is directed to take steps for consideration of the representation filed by the petitioners, in accordance with law after giving a reasonable

opportunity of hearing to all the necessary parties at the earliest, but positively within a period of twelve weeks from the date of communication of this order.

8. A reasoned order shall be passed by the aforesaid respondent and communicated to the parties immediately thereafter.
9. Learned advocate for the petitioner is directed to forward a copy of the representation along with all supporting documents to the aforesaid respondent at the time of communicating the order of this Court.
10. The writ petition stands disposed of.
11. Urgent photostat certified copy of this order, if applied for, be supplied to the parties, upon compliance of all requisite formalities.

(Amrita Sinha, J.)