

25.06.2025
Sl. No.49
Ct.3/ tkm

W.P.A. 25515 of 2024

Biswayan Real Estate and Developers Ltd.
vs.
State of West Bengal & Ors.

Md. Saifur Rahaman

... .. for the petitioner

Mr. Vimal Kr. Shahi

Ms. Debangana Dey Nayak

... .. for KMC

1. The petitioner has preferred the present writ petition, being aggrieved by the inaction on the part of the respondent authorities in failing to take appropriate steps to stop the unauthorized construction being carried out at premises no. 3, Chandra Nath Roy Road, P.S Tiljala, Kolkata allegedly at the instance of the private respondent no. 7.
2. It is the case of the petitioner that he is the lawful owner of the said premises in question by virtue of a registered deed of conveyance dated 30.12.2015.
3. It is submitted by the learned counsel for the petitioner that respondent no. 7 is a trespasser and has been in occupation of one flat, one asbestos shed room on the roof and one shop room on the ground floor of the said premises. It is alleged that on 10.9.2024 the petitioner came to know that respondent no. 7 was attempting to

make illegal construction in the open area of the said property. The petitioner has filed representation dated 23.9.2024 before the respondent authorities about the alleged illegal construction at the said premises. However, no action has been taken by the respondent authorities till date.

4. Learned counsel for the respondent authorities submits that they are ready and willing to consider the petitioner's representation dated 23.9.2024.
5. Learned counsel for the petitioner submits that the petitioner shall be satisfied if the same is decided within a time bound manner.
6. In view of the statement made by the parties, this court directs respondent no. 5 to decide the petitioner's representation dated 23.9.2024, within a period of eight weeks from the date of communication of this order after affording an opportunity of personal hearing to the petitioner as well as all private respondents by way of a speaking order.
7. With the above direction, the present writ petition is disposed of.

8. Since no affidavit is called for, allegations made in the writ petition are deemed to have been denied.

(Gaurang Kanth, J.)