

26.03.2025
sayandeep
Sl. No. 55
Ct. No. 28

WPA 27480 of 2024

Dipu Roy
Versus
The State of West Bengal & ors.

Mr. Sukumar Ghosh
Ms. Moumita Ghosh

..... for the petitioner

Mr. Jahar Datta
Mr. Bipin Ghosh

....for the State

Affidavit-of –service filed today be kept on record.

The writ petitioner is aggrieved by non-consideration of his representation dated December 7, 2020 made to the respondent No. 3. The grievance of the writ petitioner is that the private respondent Nos. 9 and 10 have encroached upon PWD road which forms the access to the petitioner's land. Due to such encroachment by the private respondent, the petitioner's access to his land has been impeded. The petitioner has also complained of the private respondents having encroached upon the petitioner's personal property but the same is the subject matter of a suit being Title Suit No. 128 of 2010 pending before the Additional Civil Judge (Junior Division), 2nd Court at Diamond Harbour.

Given the nature of the grievances of the writ petitioner and the prayers made in the writ petition, it would serve no purpose to keep the writ petition

pending. The writ petition is, therefore, disposed of by directing the respondent No. 3 to consider and dispose of the representation dated December 7, 2020 made by the writ petitioner to the respondent No. 3 (along with others) by a reasoned order. It is needless to mention that the respondent No. 3 shall while considering the said representation follow the principles of natural justice and afford an opportunity of hearing to the petitioner as well as the private respondents.

The respondent No. 3 shall pass a reasoned order upon such hearing. The entire exercise of consideration and hearing shall be completed within a period of four weeks from date of communication of this order. The said respondent shall communicate the reasoned order to the petitioner within a period of one week thereafter.

With these observations, the writ petition is disposed of. There shall, however, no order as to costs.

(Om Narayan Rai, J.)