

W.P.A. 28673 of 2024

Vaskar Roy

-Vs.-

The State of West Bengal & Ors.

Mr. Tapas Kumar Dey

Mr. Rakesh Roy

....for the petitioner

Mr. Subhabrata Das

...for the State

Affidavit-of-Service filed by the petitioner be kept with the records.

The grievance of the petitioner is directed against illegal and unauthorised construction by the private respondent. It is submitted on behalf of the petitioner that there has been no lawful conversion obtained by the private respondent prior to the impugned construction.

It is submitted by the learned advocate for the State that they have no objection if the representation is decided by the concerned Pradhan being the respondent No. 6 in accordance with law.

In view of the above, WPA 28673 of 2024 stands disposed of by directing the Pradhan, being the respondent No. 6 to consider and dispose of the representation dated 5 July, 2024 within a period of 6 (six) weeks from the date of communication of this order to the said respondent after giving a right of hearing to all the affected parties, in accordance with law and without being influenced by any observation made in this order.

It is made clear that there has been no adjudication on the merits of the case and all questions are left open to be decided by the respondent No. 6 in accordance with law.

There shall be no order as to costs.

The Report filed by the police authorities be kept with the records.

Since affidavits have not been invited, the allegations made in the writ petition are deemed not to have been admitted.

Urgent Photostat certified copy of this order, if applied for, be made available to the parties upon compliance of necessary formalities.

(Ravi Krishan Kapur, J.)