

16.01.2025
Sl. No. 01
g.b.
Court No.10
265717

WPA 29871 of 2024

Sanat Kumar Mandal
-Vs-
The State of West Bengal & Ors.

Mr. Rajdeep Bhattacharya
Mr. Sanjib Sankar Majumdar
.....For the Petitioner
Mr. Tapash Kr. Mondal
.....For the South 24 Pgs. Zilla Parishad
Mr. SM Samim Ullah
....For the State

Affidavit of Service filed in Court be kept with the records.

The grievance of the petitioner is directed against the private respondent for unlawful and unauthorized construction.

It is submitted on behalf of the petitioner that the private respondent who is a neighbour of the adjacent land has illegally constructed a one storied building.

In view of the above, the petitioner has filed repeated representations with all the State authorities.

The concerned Zilla Parishad is represented and submits that they have no objection if the representation of the petitioner is considered and disposed of in accordance with law.

None appears on behalf of the State respondents nor is any adjournment prayed for on their behalf.

In view of the non-appearance of the State, Mr. SM Samim Ullah, Advocate, who usually appears on behalf of the State, is directed to appear in this matter on behalf of the State.

The appointment of Mr. Ullah be regularized by the Legal Remembrancer.

In view of the above, W.P.A No. 29871 of 2024 is disposed of by directing the respondent no.7 to dispose of the representation of the petitioner dated 27th August, 2024 in accordance with law after giving a right of hearing to all the parties within a period of eight weeks from the date of communication of this order.

Since no affidavits are called for, the allegations made in the writ petition are deemed not to have been admitted by the respondents.

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.7 without being influenced by any observation or direction made in this order.

There shall be no order as to costs.

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.)