

06.01.2026
sayandeep
Sl. No. ML 43
Ct. No. 03

WPA 220 of 2025

Akram Javed Ansari
Vs.
The State of West Bengal & ors.

Mr. Arup Krishna Das
Mr. Rajarshi Ghosh

..... for the petitioner

Mr. Pritam Chowdhury

..... for the State

1. The petitioner would contend that the private respondents have constructed on the petitioner's property. The petitioner contends that he is the recorded owner in respect of the property being plot No.445/781, Khatian No. 3180, Mouza- Kumardiha, JL No. 51, in support of his contention, a record of rights has been disclosed. The petitioner would contend that though the petitioner had lodged a complaint with the municipal authorities, as regards the private respondents using, and constructing a road/path on the petitioner's land, no steps have been taken in this regard. Though the private respondents and the municipal authorities are not represented, I am of the view that in this writ petition there is no scope to ascertain as to whether the private respondents had at all encroached upon the petitioner's land by using the same as a road/path.
2. Be that as it may, taking into consideration the fact that a representation has already been made by the petitioner before the municipal authorities, and since

it is claimed that the construction of the path/road is with the authority of the local councilor, it would be appropriate to direct the municipal authorities to take a decision on the petitioner's representation upon giving opportunity of hearing to the petitioner and by passing a reasoned order. The entire exercise must be completed within a period of 4 weeks from the date of communication of this order.

3. With the above observations and directions, the writ petition is disposed of.

(Raja Basu Chowdhury, J.)