

D/L- 7
20/04/2026
Ct. No.-19
Aritra

WPA 7691 of 2026
Basumati Midya
Vs.
The State of West Bengal & Ors.

Mr. Sandip Das

....for the petitioner

Mr. Lalit Mohan Mahata, AGP
Mr. Himadri Kr. Mahata

....for the State

On the prayer of the learned advocate for the petitioner leave is granted to the learned advocate on record of the petitioner to file the affidavit of service in course of this day.

The petitioner claims to have submitted an application before the Assistant Engineer, Kakdwip, Public Works Department, being the respondent No.8, praying for settlement of the land belonging to the Public Works Department.

Mr. Das, learned advocate appearing for the petitioner submits that in spite of receipt of such representation dated December 12, 2025, no decision has been communicated to the petitioner till date.

Mr. Mahata, learned Additional Government Pleader submits that the Executive Engineer, Diamond Harbour, Highway Division is the appropriate authority who can take a decision on the petitioner's prayer for settlement and not the Assistant Engineer. He submits that no representation has been submitted by the petitioner before the concerned Executive Engineer. He further submits

that the petitioner has imposed certain conditions for settlement. He submits that the authorities cannot be forced to settle the land on the terms as offered by the petitioner.

When the petitioner submitted a representation before an authority, such authority is duty bound to communicate its decision to the petitioner.

Without entering into the merits of the claim made by the petitioner in the representation dated December 4, 2025, WPA 7691 of 2026 stands disposed of by directing the Assistant Engineer, Kakdwip, Public Works Department, being the respondent No.8 to forward the representation submitted by the petitioner dated December 4, 2025 to the Executive Engineer, Diamond Harbour, Highway Division, being the respondent No.7 within a week from the receipt of a server copy of this order and upon receipt of the papers, the Executive Engineer, Diamond Harbour, Highway Division, being the respondent No.7 shall consider the representation dated December 4, 2025 and dispose of the same by passing a reasoned order after affording an opportunity of hearing to the petitioner and any other person, who may be affected by such decision as their authorised representatives and communicate the reasoned order to the petitioner as expeditiously as possible but positively within a period of 12 weeks from the receipt of the papers from the respondent No.8.

It will be open to the petitioner to also submit a copy of the representation dated December 4, 2025 addressed to the respondent No.8 before the respondent No.7.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Hiranmay Bhattacharyya, J.)