

30.03.2026
Item No. 05
Ct. No.1
PG

W.P.A. 8525 of 2017
Arup Chowdhuri & Ors.
Vs.
State of West Bengal & Ors.

Mr. Jahar Lal De, Ld. AGP
Ms. Debarati Sen Bose.....for the State

DICTATED BY PARTHA SARATHI SEN, J.:

1. None appears on behalf of the writ petitioners. Mr. Jahar Lal De, learned advocate appears for the respondent/State.
2. By filing the instant writ petition, the writ petitioners have prayed for issuance of appropriate writ/writs against the respondent authorities commanding them to demolish the structure encroaching Plot No. 2054, J.L. No. 30 under Laxmipur Mouza in the District-Paschim Medinipur.
3. Since the instant matter pertains to some public interest, we noticed that a coordinate Bench of this Court vide its order dated 04.08.2017 directed the respondent no. 3 to submit a report.

4. Mr. De in his usual fairness submits before this Court that no such report has yet been filed. However, Mr. De suggested that the representation dated 15.02.2017 (Annexure-‘P2’) may be directed to be considered by the appropriate authority i.e. the respondent no. 3.
5. Considering the entire materials, as placed before us and after hearing Mr. De, learned advocate appearing on behalf of the respondent/State, we, while disposing the instant writ petition, direct the respondent no. 3 to consider the representation dated 15.02.2017 (Annexure-‘P2’), as submitted before him and after giving due opportunity of hearing both to the writ petitioners and/or their authorised representative and/or any other stakeholder shall pass a reasoned order and forthwith communicate the same to the writ petitioners and the other stakeholders, if there be any.

6. The entire exercise is to be completed by the respondent no. 3 authority within 90 working days from the date of communication of server copy of this order.
7. Mr. De, learned advocate appearing on behalf of the respondent/State is hereby requested to communicate the server copy of this order to the respondent no. 3 for his immediate compliance.
8. Before parting with, it is, however, made clear that in the event the respondent no. 3 finds sufficient substance in the representation dated 15.02.2017 (Annexure-‘P2’), while passing the reasoned order, he is directed to take all consequential action forthwith.
9. With the aforesaid observations/directions, the writ petition is disposed of.
10. However, it is made clear that while disposing of the instant writ petition, we have not gone into the merit of the representation dated 15.02.2017

(Annexure-‘P2’) and thus, all points are kept open for adjudication by the respondent no.3.

11. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(SUJOY PAUL, CJ.)

(PARTHA SARATHI SEN, J.)