

**Sk. Rezaul Karim
Vs
The State of W. B. & Ors.**

Mr. M. A. Samad
Mr. N. S. Chakraborty
.....For the Petitioner
Mr. Biswabrata Basu Mallick
Ms. Sukalpa Seal
.....For the State
Mr. Atis Kr. Biswas
Mr. Suman Chakraborty
.....For the Private Respondent No. 12

Affidavit of service filed in court today is taken on record.

The petitioner has submitted a representation dated December 7, 2023, Annexure – “P-12” at page 243 to the writ petition, inter alia, before the respondent no.3. The grievance of the petitioner also centres around the respondent nos. 12 and 13.

Mr. M. A. Samad, learned counsel appearing for the petitioner submits that the said representation has not yet received the attention of the respondent no.3.

In view of the above, to subserve justice, the respondent no.3 upon issuing a prior seven days hearing notice to the petitioner, respondent no. 5 and respondent nos. 12 and 13 and after giving them an

opportunity of hearing shall decide the representation dated December 7, 2023, Annexure – “P-12” at page 243 to the writ petition by passing a reasoned order in accordance with law. The entire exercise shall be carried out and completed by the respondent no.3 positively within a period of six weeks from the date of communication of this order and the respondent no.3 shall communicate the order to the petitioner, respondent no.5 and the respondent nos. 12 and 13 within a further period of two weeks from the date of the reasoned order to be passed.

It is made clear that this court has not gone into the merits of the claim of the petitioner in any manner and the parties shall be at liberty to urge whatever points they wish to urge by relying upon whatever records and documents they wish to rely upon before the respondent no.3.

In the event the reasoned decision goes in favour of the petitioner, the respondent no.5 or any other appropriate State authorities shall give effect thereto positively within a period of three weeks from the date of communication of the reasoned order.

It is made clear that this order shall not create any right or equity in favour of the petitioner if the petitioner is not eligible for his claim strictly in accordance with law.

Since affidavits are not called for, the allegations

made in this writ petition are deemed not to have been admitted by the respondents.

On the above terms, this writ petition WPA 29216 of 2023 stands disposed of without any order as to costs.

(Aniruddha Roy, J.)