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jdt.

17.03.2023
jb.

W.P.A. 3605 of 2017
(Paresh Chandra Roy vs. State of West Bengal & Ors.)

Mr. Soumyajit Bhatta
Mr. Atis Kr. Biswas
Mr. Amit Singh
.... For the Petitioner

Mr. Soumitra Bandyopadhyay
Mr. Priyabrata Batabyal
.... For the State

The grievance of the petitioner is two fold:-

In the land acquisition proceeding by which the land of the petitioner has been acquired, award was declared beyond the stipulated period of time and as such, the proceeding lapsed. Secondly, the petitioner's reference application under Section 18 of the Land Acquisition Act, 1894 has not been forwarded to the appropriate civil Court by the Land Acquisition Collector, Nadia.

The petitioner seeks to submit a comprehensive application in this regard before the 4th respondent and prays for a direction upon the 4th respondent to consider the said application along with the application filed by him on 11th December, 2013 within a stipulated time frame.

It is submitted on behalf of the respondents that the 4th respondent be directed to consider both the applications, in accordance with law.

In view of the above, the writ petition is disposed of with liberty to the petitioner to submit a comprehensive application ventilating his grievance before the 4th respondent within two weeks from date. The 4th respondent is directed to consider and dispose of the application along with the earlier application dated 11th December, 2013 within two months from the date of receipt thereof upon affording reasonable opportunity of hearing to all the interested persons including the petitioner, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner within a week thereof.

The writ petition is thus disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)