

60 14.02.2022
rkd Ct.15

W.P.A. 26066 of 2015
(Through Video Conference)

Sannyasi Pramanik & Ors.

-vs-

The State of West Bengal & Ors.

Mr. B. K. Samanta

....for the petitioners.

Mr. Tapan Kumar Mukherjee,
Mr. Somnath Naskar

....for the State.

This writ petition pertains to payment of compensation as sought for by the petitioners since according to them, land under Dag Nos.599 & 615, J. L. No.241 under Mouza-Kultikuri, District-Paschim Medinipore was taken by Paschim Medinipore Zilla Parishad for construction of bridge. The bridge was finally constructed in 2004 and it is being used by the public. It has been alleged by the petitioners that at the time when the Paschim Medinipore Zilla Parishad took possession of the land the petitioners they were assured of compensation to be paid by the authorities. In the present writ petition, it has been contended on behalf of the petitioners by Mr. Samanta, learned advocate that in spite of fact that the bridge was constructed in the year 2004 till date no such compensation has been paid to the writ petitioners

and it has also been prayed, let a decision be taken in this regard by the District Magistrate, Paschim Medinipore, who is also *ex officio* Executive Officer of Paschim Medinipore Zilla Parishad.

Mr. Mukherjee, learned Additional Government Pleader appears on behalf of the State respondents and submits that if concerned District Magistrate is directed to take decision on entitlement of the writ petitioners to get compensation he has no objection but let such decision be taken in accordance with law.

Considering the submissions made on behalf of the parties to this writ petition, this Court directs the District Magistrate, Paschim Medinipore, being the respondent no.2 to take decision on payment of compensation to the writ petitioners since it has been alleged in the representation dated 31st December, 2014 that their land had been taken on assurance of payment of compensation for construction of bridge, upon consideration of said representation dated 31st December, 2014, pages 18 & 19 of this writ petition within a period of twelve weeks from the date of communication of this order.

The respondent no.2 shall pass a reasoned order granting opportunity of hearing to the writ

petitioners and if necessary respondent no.2 will also hear the concerned Block Development Officer. The decision to be taken by the respondent no.2 shall be communicated to the petitioners within a period of two weeks thereafter.

The petitioners are directed to submit copy of the representation dated 31st December, 2014 in the Office of the respondent no.2 at the time of communicating this order.

With the above direction, writ petition stands disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)