

W.P.A. 1242 of 2021

(Via Video Conference)

M/s. Corona Steel Industry Pvt. Ltd.
Vs.
State of W. B. & Ors.

Mr. J. K. Gupta
Mr. P.K. Jajodia
Mr. P. Chakraborty ...for the petitioner.

Mr. Soumitra Bandyopadhaya
Mr. P. Batabyal ...for the State.
Ms. Monika Roy ...for the NHAI.

Heard the parties.

The petitioner assails an acquisition proceeding initiated in respect of the subject premises. It is submitted on behalf of the petitioner that the subject premises be de-requisitioned and the same be handed over to the petitioner.

It is further submitted on behalf of the petitioner that the subject premises is meant for commercial purposes and could not be the subject matter of any acquisition proceeding.

Mr. Bandyopadhyay appears on behalf of the State respondents and submits that the subject premises was acquired as far back as in 1966/1969 in LA Case No.07 of 1966-1969.

It is further submitted on behalf of the State that the erstwhile land owner has received the entire compensation. It is also submitted on behalf of the State that the petitioners are the post acquisition transferees and cannot have any legal entitlement to seek which they are now seeking.

Heard the parties.

I am of the view that since the subject premises were acquired as far back as in 1966, there is no question of granting any relief in favour of the petitioner.

It is an indisputable position that the petitioner is a post acquisition transferee and can not claim any relief in respect of the subject premises which they now seek.

There is also no case made out for release of the subject premises. It appears that the predecessor-in-interest of the petitioners have received the entire compensation amount.

In view of the aforesaid, there is no scope of granting any relief in favour of the petitioner.

Hence, WPA 1242 of 2021 is dismissed. However, there will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Ravi Krishan Kapur, J.)