

20.07.2021
jb.

W.P.A. 1199 of 2020
(Biswanath Ghosh & Anr. vs. State of West Bengal & Ors.)

Mr. Partha Pratim Roy
.... For the Petitioners

Mr. Chandi Charan De
Mr. Soumitra Bandyopadhyay
.... For the State

Mr. Priyabrata Batabyal
.... For the Respondent

The grievance of the petitioners is towards payment of compensation in respect of the subject premises under the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013. It is submitted on behalf of the petitioners that the subject premises has been acquired by the State authorities and the petitioners are entitled to compensation under the 2013 Act.

Mr. De, appearing on behalf of the State respondents submits that the proceeding for acquisition had been initiated in the year 1963. He further submits that there is inordinate, unexplained and undue delay on the part of the petitioners in approaching this Court.

Heard the parties. I am of the view that it is an indisputable fact that the proceeding for acquisition was initiated in the year 1963. Accordingly, I am of the view that there is inordinate and unexplained delay on the part of the

petitioners in approaching this Court. The notice under Section 3(2) of the West Bengal Land (Requisition and Acquisition) Act, 1948 was served as far back as in 1963. Moreover, I find there is no justification or explanation pleaded in the petition explaining the delay on the part of the petitioners in approaching this Court. In view of such immense delay I am of the view that there is no reason to exercise any discretion in favour of the petitioners.

W.P.A. 1199 of 2020 stands dismissed.

There shall be no order as to costs.

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

(Ravi Krishan Kapur, J.)