

16.08.2021
rc/ct.no.10
Item No.09

WPA No. 1248 of 2020
Jadab Naskar & Ors.
Versus
The State of West Bengal & Ors.

(VIA VIDEO CONFERENCE)

Mr. Animesh Mukherjee
Md. Ali Ahasan ...for the petitioner

Mr. Soumitra Bandyopadhyay
Mr. Subhasish Bandyopadhyay ...for the State

The grievance of the petitioner is directed against the payment of compensation in respect of the acquisition proceeding of the subject premises.

Mr. Soumitra Bandyopadhyay, Advocate appearing on behalf of the State-respondents submits that the acquisition proceeding has been initiated as far back as in 1966 vide a Notification under Section 4(1) of the Land Acquisition Act, 1894 (I of 1894). Subsequently there was a declaration under Section 6 published on January 17, 1969. Thereafter, possession of the subject premises was given to the requiring body, Calcutta Metropolitan Development Authority on January 17, 1977. The award was declared in respect of the aforesaid acquisition in the year 1977 and subsequently a reference petition was also filed by the predecessor in interest of the petitioner which was disposed of by enhancing the awarded amount.

Thus, it is submitted on behalf of the State that the land acquisition proceeding have been completed finally and the amount is lying in the Court of Learned Special Land Acquisition Judge, Alipore.

In view of the submissions made by the Advocate appearing on behalf of the State-respondents and the fact that the awarded sum in respect of the subject acquisition proceeding was concluded as far back as in 1977 and the awarded compensation amount is lying before the Learned Special Land Acquisition Judge, Alipore, I am of the view that there is no scope of passing any order in favour of the petitioner.

Hence, WPA No. 1248 of 2020 is dismissed.

There shall be, however, no order as to costs.

The petitioner is at liberty to approach the appropriate forum in accordance with law.

(Ravi Krishan Kapur,J)