

12.02.2021
Item no. 109
Aloke
Ct. no.38

(Through Video Conference)

W.P.A. 2727 of 2021

Swapan Bera @ Swapan Kumar Bera
Versus
The State of West Bengal & Ors.

Mr. Desbabrata Karan
Mr. Debopriyo Karan

... for the petitioner
Mr. Ansar Mandal
Mr. Suprabhat Bhattacharyya
... for the State

The petitioner claims to be the owner of a plot of land situate in Mouza Manmathanagar, P.S. Gosaba, District – South 24 Parganas. The petitioner says that the Government is constructing a ring bandh on the petitioner's land but the petitioner has not received any notice of acquisition nor has received any compensation therefor. Without acquiring the land following due process of law, Government cannot make construction thereon, submits learned counsel for the petitioner. He submits that his client has made a representation, addressed to amongst others, the Special Land Acquisition Officer, South 24 Parganas who is the respondent no. 3 herein (Annexure P-8 to the writ petition). He submits that the petitioner will be happy if such representation is disposed

of in accordance with law, after affording an opportunity of hearing to the petitioner.

Accordingly, I direct the respondent no. 3 to consider the representation made by the petitioner (Annexure P-8 to the writ petition), on an urgent basis and dispose of the same by a reasoned order, within a period of eight weeks from the date of receipt of a copy of this order along with a copy of the writ petition, after giving an opportunity of hearing to the petitioner or his authorized representative. The decision so taken shall be communicated to the petitioner within a week from the date of the decision.

I have not gone into the merits of the petitioner's claim. The respondent no. 3 shall take an informed decision in the matter, in accordance with law.

W.P.A. 2727 of 2021 is accordingly disposed of.

Since no affidavit has been called for, none of the allegations in the writ petition shall be deemed to have been admitted by the respondents.

There will be no order as to costs.

(Arijit Banerjee, J.)