

12.02.2021
Item no. 136
Aloke
Ct. no.38

(Through Video Conference)

W.P.A. 3603 of 2021

Saifuddin Laskar & Anr.
Versus
The State of West Bengal & Ors.

Mr. Ziaul Haque
... for the petitioners
Mr. Soumitra Bandopadhyay
Mr. Rarm Chandra Guchayet
... for the State

Affidavit-of-service filed in Court be kept with the record.

Upon the undertaking of the petitioners to pay the deficit Court fees in course of the day, this application is taken up for hearing.

The petitioners say that land belonging to them has been taken over and is being utilized by the irrigation department. No notice of acquisition was served on the petitioners. They have not received any compensation. This amounts to confiscation of properties which is not permissible under the Constitution.

The petitioners through their learned Advocate has made a representation dated January 5, 2021, addressed to the District Magistrate, South 24 Parganas, being the respondent no. 2 herein. The petitioners pray that such representation should be disposed of at an early date.

Having heard learned counsel for the parties, I direct the respondent no. 2 to consider the representation dated January 5, 2021 made by learned Advocate for the petitioners, on an urgent basis and dispose of the same by a reasoned order, in accordance with law, 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 either of the petitioners or their authorized representative. The decision so taken shall be communicated to the petitioners within a week from the date of the decision.

I have not gone into the merits of the petitioners' claim.

The 2nd respondent shall take an informed decision, in accordance with law.

W.P.A. 3603 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.)