

December 15, 2021

ARDR

(7)

WPA 3468 of 2018

Smt. Puspa Rani Laha & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Piyush Chaturvedi,
Mr. Bhagbat Chowdhury,
Mr. Somesh Kumar Ghosh,

...for the petitioners.

Mr. Chandi Charan De,
Mr. Anirban Sarkar,

...for the State.

Heard learned counsels for the parties.

It is not in dispute that the petitioners are the co-sharers in respect of the plot in question. The petitioners' complain that the said plot is being used for construction of Eco Park by the State authorities, but no compensation for the same was given to the petitioners. The petitioners pray for direction upon the authority to pay adequate compensation to them in terms of The Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013.

It is submitted on behalf of the State that the petitioners may submit a representation to that effect before the 3rd respondent who shall dispose of the same after considering the case of the petitioners.

Upon consideration of the submissions made on behalf of the parties and material on record, the writ petition is disposed of with liberty to the petitioners to

submit a representation ventilating their grievance before the 3rd respondent within a week from date. The 3rd respondent shall consider and dispose of the said representation within three months from the date of receipt of the representation after affording reasonable opportunity of hearing to all the interested parties including the petitioners, in accordance with law. In the event the petitioners are found to be entitled to the compensation, such exercise should be completed within three months thereafter.

With such directions, WPA 3468 of 2018 is disposed of. However, there shall be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

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

(Suvra Ghosh, J.)