

23.09.2021
rc/ct.no.10
Item No.06

**WPA No. 3622 of 2018
with
CAN No. 1 of 2021
Manik Roy Sarkar
Versus
The State of West Bengal & Ors.
(VIA VIDEO CONFERENCE)**

Mr. Prabir Kumar Mitra ...for the Petitioner

Mr. Chandi Charan De
Mr. Anirban Sarkar for the State

Re : CAN No. 1 of 2021

This is an application for restoration of the writ petition which was dismissed for default by an order dated July 29, 2021.

Sufficient grounds being made out by the petitioner as to his non-appearance on the relevant date, CAN No. 1 of 2021 is allowed.

Learned counsel appearing on behalf of the State-respondents also raises no objection to this application.

The order dated July 29, 2021 is recalled/set aside.

WPA No. 3622 of 2018 is restored to its file and number.

CAN No. 2021 is disposed of accordingly.

Re : WPA No. 3622 of 2018

The petitioner's grievance is that the PWD Authority has acquired his land for construction of a road but no compensation has been granted to him in lieu of the same.

The petitioner filed a representation before the respondent authorities on January 15, 2018 which has not been considered as yet. The petitioner prays for a direction upon the respondent authorities to consider and dispose of the said representation.

Having considered the submissions made by the learned counsels appearing on behalf of the parties and the material on record, I dispose of the writ petition with a direction upon the respondent no. 12 to consider and dispose of the representation filed by the petitioners on January 15, 2018 within a period of three months from the date of communication of this order, after giving reasonable opportunity of hearing to all the affected parties including the petitioner, in accordance with law.

With the above observations and directions this writ petition being WPA No. 3622 of 2018 is disposed of.

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

Since no affidavit in opposition 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 furnished to the parties on usual undertakings.

(Suvra Ghosh,J)