

13.01.2021

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**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA 3712 of 2020
(Via Video Conference)

Mahadev Bera
-Vs-
Union of India & Ors.

Mr. Biswajit Bhakat, Advocate

... for the petitioner

Mr. Dipankar Das, Advocate

... for the NHAI

The relief claimed by the petitioner in this writ petition relates to a plot of land which was acquired in the year 1964-65 under Section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 for the public purpose of extension/widening of National Highway-41. The said land stood vested in the State and the petitioner/his ancestor also received the compensation amount.

Even after obtaining the entire compensation amount and after the land stood vested in the State of West Bengal, the petitioner not only claims return of the possession of a portion of his acquired land, but further prays for various occupiers of the said land being evicted therefrom.

Petitioner's prayer in this writ petition is not maintainable. Petitioner appears to have filed the present writ petition in abuse of process of Court.

At this stage, Mr. Biswajit Bhagat, learned counsel appearing for the petitioner prays for leave to withdraw the writ petition. Such prayer is allowed.

The writ petition, being WPA 3712 stands dismissed as not pressed.

(**Ashis Kumar Chakraborty, J.**)