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19-01-2021
Court No. 38
ssi

WPA 4125 of 2020

Bishnu Pada Dua & ors.
-Vs-
State of West Bengal & ors.

Ms. Ananya Dutta
..... for the petitioners

Mr. Sougata Mitra
Ms. Anwasha Halder
.....for the State

The petitioners claimed to be the owners of plot nos. 430, 620, 636, 654 and 664 in JL No.10 of Mouja Khazra Veri and as well as plot nos. 778/336 in JL No.11 of Mouja Amgaria (herein after referred to the said plots of land).

It is alleged by the petitioners that the State-respondents without initiating any acquisition proceeding have started to construct a road on their said plots of land. They pray for an appropriate direction restraining the respondents from carrying of such illegal construction of road on their said plots of land.

It is, further, submitted by the learned Advocate for the State-respondents that she has received an instruction in writing from the concerned respondent that presently, no road is being constructed over plots of land of the petitioners.

Considering the facts of the case, as discussed above, the writ petition being WPA 4125 of 2020 is disposed of by issuing a writ prohibition, prohibiting the respondents and each of them from constructing any road on the plots of land of the petitioners as mentioned in the opening paragraph of this order without initiating appropriate acquisition proceeding. The State-respondents are also prohibited from interfering with the possession of the petitioners in respect of their land mentioned at the outset of this order.

With the above directions, WPA 4125 of 2020 stands disposed of.

However, there shall be no order as to costs.

(Ashis Kumar Chakraborty, J.)