

20.09.2021
jb.

W.P.A. 5326 of 2017
(Khagendra Nath Mistry & Ors. vs. State of West Bengal & Ors.)

Mr. Sailendranath Chakraborty
.... For the Petitioners

Mr. Chandi Charan De
Mr. Gourav Das
.... For the State

The grievance of the writ petitioners is that their land has been acquired by the respondent authorities without their knowledge or consent under the Mahatma Gandhi National Rural Employment Guarantee Act, 2005. The petitioners filed an application before the respondent No. 6 for consideration of their objection on 29th February, 2016, but such application has not been considered till date. The petitioners pray for a direction upon the respondent No. 6 to consider their application along with their averments made in the writ petition.

Having heard the submissions made on behalf of the parties and material on record, I dispose of the writ petition with a direction upon the respondent No. 6 to

consider the application of the petitioners dated 29th February, 2016 and also treat the present writ petition as an application filed before the authority and consider the contents of the same within two months from the date of communication of this order after giving an opportunity of hearing to all the affected parties including the petitioners, in accordance with law.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)