

14,DL,Ct.18
13.04.2021
AJ.

W.P.A. 6436 of 2021

Sri Gour Hari Giri & Anr.
-Vs-
The State of West Bengal & Ors.

Mr. Balai Lal Sahoo,
Mr. Sankha Prasad Ray.
.....for the petitioners.

Mr. Ansar Mondal
Ld. Addl.Govt.Pleader,
Ms. Srilekha Bhattacharyya.
.....for the State.

Mr. Kaushik Chatterjee,
Mr. Nilanjan Adhikari.
.....for the respondent
nos. 6 & 7.

Affidavit of service filed by the petitioners is taken on record.

The petitioners allege that their lands were requisitioned under Act II L.A. Case No. (R & A) 56 of 77/78 and a portion of the lands under requisition was subsequently acquired by the State with a decision to release rest of the lands.

The petitioners have submitted a representation appearing at page 68 of the writ petition being Annexure 'P-10' to the District Magistrate and the Collector, District- Purba Medinipur, the respondent no.2 herein to expedite the release of the unused portion of the lands so requisitioned and for enhancement of the awarded compensation at the market rate.

The petitioners complain inaction on the part of the respondent no. 2 to dispose of the said representation.

The prayer of the petitioners for enhancement of the amount of the award passed in the relevant acquisition proceeding cannot be entertained by the respondent no. 2.

Therefore, the respondent no. 2 is directed to consider the prayer of the petitioners so far as it relates to return of their unused requisitioned land and dispose it of in accordance with law by a reasoned order within a period of eight weeks from the date of communication of this order after giving the petitioners an opportunity of being heard.

The petitioners are required to communicate this order along with a complete copy of the writ petition upon the respondent no.2 within a period of two weeks from date.

W.P.A. 6436 of 2021 is, thus, disposed of without any order for costs.

Since no affidavit has been invited, the allegations made in the writ petition are deemed to have been denied by the respondents.

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

(Biswajit Basu, J.)