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SK
Ct. No. 18
23.03.2021

**W.P.A. No. 7178 of 2021
(Via Video Conference)**

**Kanailal Ghosh & Anr.
Vs.
The State of West Bengal & Ors.**

Md. Younush Mondal ... For the petitioners.

Mr. Chandi Charan De, Ld. AGP,
Mr. Haripada Maity
... For the State respondents.

Affidavit of service filed in Court today be kept with the record.

The petitioners are apprehensive that the possession of their lands comprised in C.S./R.S. Plot Nos. 337 and 338 under Mouza Arjulla, J.L. No. 20, Police Station Deganga would be taken up by the State authorities without due process of law.

It appears from the record that the Special Land Acquisition Collector, 24 Parganas (North), Barasat, the respondent no. 3 herein by his Memo bearing No. 4122 LA(N)/BST/RTI/G.Misc.-1224(18) dated October 01, 2018, which is appearing at page 18 of the writ petition being 'Annexure P4' has informed the petitioners that their said lands are no way involved in any L.A. case.

That being the position, the apprehension of the petitioners has no basis. Needless to say that the lands of a citizen cannot be taken by the State without any due process of law.

W.P.A. 7178 of 2021 is disposed of with the above observation.

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

No order as to costs.

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.)