

17.09.2021
rc/ct.no.10
Item No.02

WPA No. 7926 of 2017
Mahabub Hossain
Vs.
The State of West Bengal & Ors.
(VIA VIDEO CONFERENCE)

Mr. Amit Kumar Pan
Mrs. Tanusree Santra ...for the Petitioner

Mr. L.M.Mahata
Mr. P.B.Mahata ...for the State

Heard the learned counsels appearing on behalf of the parties.

By an order dated August 26, 2019 this Court directed the State-respondents to file a complete report on affidavit highlighting the following aspects:-

- (a) The quantum of excess land acquired;
- (b) The quantum of compensation and the manner of assessing such compensation qua the excess land acquired.

The State-respondents submitted report in compliance with the said order accompanied by a proposal sent by the Special Land Acquisition Officer to the Superintending Engineer, State Highway Planning Circle, Public Works (Road) Directorate on September 12, 2019. Such proposal is for assessment of compensation for the land comprising 0.06 acres according to the direct purchase policy of the State Government bearing Notification No. 756 dated February 25, 2016 (hereinafter referred to as the "said Notification").

Learned counsel appearing for the petitioner submits that the petitioner is agreeable to assessment of compensation in terms of the said Notification.

Having considered the submissions made by the learned counsels appearing on behalf of the parties and the material on record, I dispose of the writ petition with a direction upon the respondents no. 2 and 6 to assess the compensation payable to the petitioner in terms of the said Notification within a period of three months from the date of communication of this order, after giving reasonable opportunity of hearing to all the affected parties including the petitioner, in accordance with law.

With the above observations and directions this writ petition being WPA No. 7926 of 2017 is disposed of.

There shall be, however, no order as to costs.

Since no affidavit in opposition is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties on usual undertakings.

(Suvra Ghosh,J)