

23.09.2021
jb.

W.P.A. 9365 of 2021

(Ajit Kr. Naskar & Anr. vs. State of West Bengal & Ors.)

Mr. Sounak Bhattacharyya
.... For the Petitioners

Mr. Partha Pratim Roy
Mr. Srikanta Paul
.... For the State

Heard the learned counsels for the parties.

The petitioners submit that they are subsequent purchasers of the property in question. Though some portions of their raiyati lands were acquired by the State, prior to their purchase, they are still in possession of the remaining lands which have not been acquired. The petitioners pray for demarcation of the land and payment of adequate compensation in their favour.

State files a report, which is taken on record. It is submitted on behalf of the State respondents that the property was acquired from the erstwhile owners (vendors of the petitioners) by L.A. proceedings in 1962-63 and compensation was paid to the said owners in 1965. The State further points out that the prayer of the

petitioners in the writ petition is only with regard to payment of compensation and nothing more.

Upon hearing the submissions made by the parties and considering the material on record, I am of the view that as the petitioners insist on demarcation of the property in question and payment of compensation, they are at liberty to submit a representation to that effect before the respondent Nos. 3 and 4 within two weeks from date. The respondent Nos. 3 and 4 shall consider and dispose of such representation by a speaking order after giving reasonable opportunity of hearing to all the affected parties including the petitioners, within a period of three months from the date of receipt of the representation, in accordance with law.

W.P.A. 9365 of 2021 is thus disposed of.

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 the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)