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25.11.2021
Ct. No.10
b.das

W.P.A. 14738 of 2021

(Via Video Conference)

Subhasis Giri & Ors.
Vs.
State of W.B. & Ors.

Mr. Supratick Shyamal
Mr. S. M. Ismail ...for the petitioners.

Mr. Soumitra Bandyopadhyay
Mr. R. C. Guchhait ...for the State.

The parties are represented.

The grievance of the petitioners is that their land comprising an area of 0.50 acres in Mouja Muriganga was utilized by the Irrigation and Waterways Department, Government of West Bengal. Out of the said land 0.34 acres were acquired and compensation granted to the petitioners for the same.

The remaining 16 decimals of land was utilized without acquisition and no compensation has been paid to the petitioners for the said portion of the land. Such fact has been admitted by the Land Acquisition Collector, South 24 Parganas in his order dated 24th January. 2019, recorded in compliance with a direction of a co-ordinate Bench of this Court.

Pursuant to such order, the Executive Engineer, Irrigation and Waterways Department, Kakdwip, District South 24 Parganas assessed the valuation of the land at Rs.3,64,000/-.

The petitioners complain that though such assessment was made on 20th August, 2019, the said amount has not been paid to them till date.

Upon consideration of the submissions made on behalf of the parties and considering the material on record, I dispose of the writ petition with a direction upon the respondent No.9 to disburse the assessed valuation of the land in question in favour of the petitioners within a period of three months from the date of communication of this order, in accordance with law.

On payment of such amount, the petitioners shall execute a deed of sale with regard to the said land in favour of Respondent No.9 preferably within one month thereafter.

Accordingly WPA 14738 of 2021 is disposed of. However, there shall be no order as to costs.

Since no affidavit 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 supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)