

December 03, 2021

ARDR

(34)

WPA 16702 of 2021

Pranab Kumar Bakuli & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Tapan Kumar Rakshit,

Mr. Surajit Ray,

...for the petitioners.

Mr. Soumitra Bandyopadhyay,

Mr. Priyabarata Batabyal,

...for the State.

Affidavit of service filed by the petitioners, be taken on record.

Heard learned counsels for the parties.

It is submitted on behalf of the petitioners that their land measuring about 10.895 acres was acquired by the Land Acquisition Department, Government of West Bengal and no compensation for the same was granted to them. Such compensation was assessed at Rs.5,36,999/- and the Land Acquisition Collector (General), Howrah who wrote to the Executive Engineer, Howrah Highway Division, Public Works (Road) Directorate, Howrah for placement of funds. Though such letter was issued on 20th August, 2019, the funds have not been placed as yet. The petitioners are also aggrieved by the quantum of compensation payable to them.

Having considered the submissions of the parties and material on record, the writ petition is disposed of directing the fifth respondent to place fund of Rs.5,66,999/- before the fourth respondent within two months from the date of communication of this order. Such fund be disbursed in favour of the petitioners by the fourth respondent within a fortnight thereafter.

The petitioners are also at liberty to place their grievance with regard to the quantum of compensation before the appropriate authority. In the event such application is made before the authority, the same shall be disposed of within a period of three months from the date of receipt of the application by the concerned authority after giving reasonable opportunity of hearing to the petitioners, in accordance with law.

With such directions, WPA 16702 of 2021 is disposed of. However, there shall be no order as to costs.

Since no affidavit has been 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 upon compliance of all necessary formalities.

(Suvra Ghosh, J.)