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06.12.2021
Ct. No.10
b.das

W.P.A. 17162 of 2021

(Via Video Conference)

Sk. Sukur & Anr.
Vs.
State of W.B. & Ors.

Mr. Kunal Ganguly
...for the petitioner.

Mr. C. C. De
Mr. S. Mukherjee ...for the State.

Mr. Victor Chatterjee
Ms. S. Ghosh ...for respondent No.5.

Heard learned counsels for the parties.

Affidavit of service filed on behalf of the petitioners be
taken on record.

The petitioners complain that they are in possession
of the land in question which was inherited by them from
their predecessor-in-interest. The respondent Nos.4 & 5
have illegally encroached upon the said property and laid
pipelines therein.

The petitioners filed an application ventilating their
grievance before the competent authority on 13th
September, 2021 which is yet to be disposed of.

It is submitted on behalf of the respondent No.5 that
the land in question was acquired by the respondents upon

adequate notice to the petitioners and other interested parties and inviting objections from them and adequate compensation has been granted to the petitioners for the same.

Upon consideration of the submissions made on behalf of the parties and material on record, this Court is of the view that the application filed by the petitioners ought to be disposed of by the respondent No.4 after hearing the parties within a stipulated period of time.

Accordingly, the writ petition is disposed of with a direction upon respondent No.4 to consider and dispose of the application filed by the petitioners on 13th September, 2021 within a period of two months from the date of communication of this order after giving reasonable opportunity of hearing to all the interested parties including the petitioners, in accordance with law.

With the above observations and directions this writ petition WPA 17162 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.)