

08.12.2021
rc/ct.no.10
Item No.07

WPA No. 18556 of 2021
Harananda Mistri & Ors.
Versus
The State of West Bengal & Ors.

Mr. Arijit Bakshi ..for the petitioners

Mr. Chandi Charan De
Mr. Soumitra Bandyopadhyay
Mr. Anirban Sarkar ...for the State

Affidavit-of-service filed in Court today be taken on record.

Heard learned counsels appearing on behalf of the parties.

It is submitted by the learned counsel appearing on behalf of the petitioners that in the garb of extending the PWD road, the land of the petitioners situated adjacent to the PWD road has been encroached upon by the State Authorities without serving any notice upon the petitioners for the purpose of acquisition thereof. It is also submitted on behalf of the petitioners that the petitioners have no objection to extension of State highway subject to payment of adequate compensation to them. The petitioners submitted a representation before the District Magistrate to that effect on July 19, 2021 which is yet to be disposed of. The petitioners pray for a direction upon the District Magistrate to consider and dispose of the representation within a stipulated period of time.

Upon consideration of the submission made on behalf of the parties and the material on record the writ petition is disposed of directing the respondent no. 4 to consider and dispose of the representation filed by the petitioners on July 19, 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.

Pending disposal of the said representation no coercive step shall be taken against the petitioner in respect of the plots in question.

With the above observations and directions this writ petition being WPA No. 18556 of 2021 is disposed of.

There shall be, however, 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)