

December 10, 2021
ARDR
(190)

W.P.A. 19294 of 2021

Prolay Kumar Modak
Vs.
The State of West Bengal & Ors.

Mr. K. J. Tewari
Mr. P. Hajra
Ms. R. Ghatak,

...for the petitioners.

Mr. Soumitra Bandyopadhyay,
Mr. Subhasish Bandyopadhyay,

...for the State.

The petitioner complains that his land was requisitioned according to the West Bengal Land (Requisition & Acquisition) Act, 1948 (hereinafter referred to as the “said Act of 1948”) but the land was not acquired subsequently. In the meantime, the said Act of 1948 stood repealed with effect from March 31, 1997.

The petitioner filed a representation before the respondent No.3 on January 4, 2021 for release of his land and payment of compensation but the said representation has not been considered till date. The petitioner prays for consideration of the said representation by the concerned authority.

Having considered the submissions made by the learned counsels appearing on behalf of the parties and the material on record, I dispose of the writ petition with a direction upon the respondent No.3 to consider and dispose of the representation filed by the petitioner on

January 4, 2021 within a period of three months from the date of communication of this order and after giving reasonable opportunity of hearing to all the affected parties including the petitioner, in accordance with law.

With the above observations and directions this writ petition WPA 19294 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.)