

5th February,
2021
(AK)
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W.P.A 17525 of 2014

Smt. Sandhya Rani Hazari & Anr.
Vs.
Union of India & Ors.

Mr. Nirmal Roy Chowdhury
...For the Petitioners.

Mr. Indrajeet Dasgupta
...For the Respondent no.2.

Affidavit-in-opposition filed by the respondent nos.2, 3 and 5 in court today be kept on record.

The grievance of the petitioner, as canvassed by learned senior counsel appearing for the petitioners, is that the Chief Executive Officer of the Barrackpore cantonment, where the petitioner is residing, gave a proposal to the petitioners to express the petitioners' willingness to take the subject property on lease basis, coupled with a request to intimate the office whether the occupation of the petitioners came through the rehabilitation department on evacuee properties and the petitioners were paid any compensation.

The petitioner thereafter expressed her consent, as annexed at page-42 of the writ petition, for taking the accommodation on lease.

Thereafter, there were several communications between the petitioners and the respondents as well as

interdepartmental communications of the respondents to that effect.

Learned counsel appearing for the respondent no.1 candidly submits that the document dated September 6, 2011, annexed at page-51 of the writ petition was written by the Chief Executive Officer of the Barrackpore cantonment to the Principal Director, Defence Estates, Eastern, expressing that the grant of lease to the petitioner may be considered.

As such, the petitioners' prayer for their representation to be decided upon is justified.

Accordingly, W.P.A. 17525 of 2014 is disposed of by directing respondent no.5 to consider the petitioner's willingness to take the property-in-question on lease, in the light of the communication dated September 6, 2011 of the Chief Executive Officer of the Barrackpore cantonment to the Principal Director, Defence Estates, Eastern and to communicate its decision to the petitioner on such representation at the earliest, preferably within one month from date.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)