

22.09.2021
jb.

**W.P.A. 17873 of 2019
(Bibhuti Das & Ors. vs. State of West Bengal & Ors.)**

**Mr. Keshab Chandra Das
Ms. Aparajita Mondal
.... For the Petitioners**

**Mr. Ram Chandra Guchhait
.... For the State**

The petitioners submit that they are patta holders of a piece of land which was approved by the State Government for establishing water treatment plant for supply of Arsenic free drinking water to the inhabitants of Balagarh and Pandua Block. The petitioners' prayer in the writ petition is as follows:-

“(a) A writ of or in the nature of Mandamus be issued directing the concerned respondents authority to acquire the proposed plots of land for the purpose of Surface Water Scheme as approved by the State Government for the area of Balagarh Block forthwith;

(b) A writ of or in the nature of Mandamus be issued directing the concerned respondents authority not to acquire the plots of the petitioners as well as other, as referred 'B' Scheduled plots for the purpose of Surface Water Scheme and restrain from taking any adverse steps;”

State respondents have produced a statement of facts in the form of a report. The said report is kept with the record. It appears from the report that though initially about 500 cottahs of private land was considered for establishing water treatment plant by the Government by way of purchasing the land for adequate compensation, upon detailed survey of the scheme an alternative vested land measuring about 320 cottah was found in Mouza Kamardanga where the project can be started. It is submitted on behalf of the State respondents that the petitioners' land is not required for the project and as such, shall not be acquired by the Government.

Therefore, nothing remains in the writ petition as the land of the petitioners are not under threat of acquisition by the Government. It is further submitted on behalf of the State respondents that the inhabitants of Balaram and Pandua Block including the petitioners shall be benefitted by the Scheme.

With the said observations, W.P.A. 17873 of 2019 is disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)