

07.10.2021
rc/ct.no.10
Item No.07

WPA No. 18156 of 2019
Nilima Halder & Ors.
Versus
The State of West Bengal & Ors.

(VIA VIDEO CONFERENCE)

Mr. Tapas Bhattacharjee
Mr. Bishnu Prosad Singha Roy ...for the petitioners

Mr. Chandi Charan De
Mr. Somenath Makherjeefor the State

Affidavit-in-opposition filed by the learned counsel appearing on behalf of the State-respondents is taken on record.

Heard the learned counsels appearing on behalf of the parties.

The State Authorities propose to purchase the land in question directly from the petitioners in terms of Memorandum No. 756-I.P./1A-03/14(Pt-II) dated February 25, 2016 (hereinafter referred to as "the said Memorandum").

The case of the petitioners is that portion of their land has been utilised by the State for construction of PWD road under the State Highway Planning Circle but no compensation for the same has been granted to the petitioners. The petitioners are agreeable to the proposal of the State Authorities for direct purchase of their land in terms of the said Memorandum.

Having considered the submissions made by the learned counsels appearing on behalf of the parties and the said Memorandum under reference, this writ petition is disposed of with a direction upon respondent no. 5 to deal with the matter and consider the proposal for direct purchase of the property in question from the petitioners in terms of the said Memorandum.

Such exercise should be completed within six months from the date of communication of this order, after affording reasonable opportunity of hearing to all the affected parties including the petitioners, in accordance with law.

With the above observations and directions this writ petition being WPA No. 18156 of 2019 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 on usual undertakings.

(Suvra Ghosh,J)