

05.08.2021
rc/ct.no.10
Item No.06

WPA No. 20962 of 2015
Ajay Bera & Anr.
Versus
The State of West Bengal & Ors.

(VIA VIDEO CONFERENCE)

Mr. Surya Prasad Chattopahyay
Mr. Arjun Samanta ...for the petitioner

Mr. Chandi Charan De
Mr. Anirban Sarkar
Mr. Priyabrata Batabyal ...for the State

The grievance of the petitioners is directed against the non-payment of compensation by the State-respondents in respect of the acquisition of the subject premises.

Mr. De, Advocate appearing on behalf of the State-respondents relies on paragraphs 5 and 15 of the petition to contend that the petitioners have admitted that the petitioners were dispossessed in October, 2009 and no notice or intimation was ever served upon the petitioners. He further relies on paragraph 15 to contend that the facts in W.P.No. 17298(W) of 2013 were totally distinguishable and in apposite to the facts and circumstances of the present case.

Mr. De, Advocate appearing on behalf of the State-respondents, filed a status report which is taken on record. It appears from the said status report that the subject premises was never requisitioned or acquisitioned or taken possession by the State.

In view of the averments contained in paragraph 5 of the petition I am of the view that there is no scope of passing any order in favour of the petitioners.

It is evident that the facts in W.P.No. 17298(W) of 2013 have no connection or relevance to the facts of the instant case.

In view of the above, WPA No. 20962 of 2015 is dismissed.

There shall be, however, no order as to costs.

(Ravi Krishan Kapur,J)