

W.P.A. 20734 of 2019

(Via Video Conference)

Ekdan Investment Advisory Pvt. Ltd.

Vs.

State of W.B. & Ors.

Ms. Rita Patra ...for the petitioner.

Mr. Susovan Sengupta

Mr. Subir Pal ...for the State.

The grievance of the petitioner is two-fold – the petitioner has not been granted adequate compensation for acquisition of portions of his land in plot Nos.645, 646, 647, 648, 649, 649/1155 and 651 in Khatian No.3446, Mouza-Abdarpur, J.L. No.97, District-Birbhum; 2) the portions of land acquired by the authorities have not been properly demarcated.

The petitioner submits that despite several applications being filed before the authority for redressal of his grievance, the application has not been considered.

The State respondents submit that the petitioner was not happy with the process of the demarcation of the plots for which demarcation for all plots could not be completed.

With regard to the petitioner's grievance in respect of the adequate compensation not being given to him, the petitioner was at liberty to take recourse to Section 3 G(5)

of the National Highways Act, 1956. The said grievance of the petitioner cannot be dealt with by the Writ Court.

In respect of the second grievance of the petitioner being demarcation of the acquired land, the petitioner is at liberty to file an application ventilating his grievance before the competent authority alongwith all relevant documents within two weeks from date. The competent authority shall consider and dispose of the said application after giving opportunity of hearing to all the affected parties including the petitioner, within a period of four months from the date of receipt of the application, in accordance with law.

WPA 20734 of 2019 is disposed of. There will be no order as to costs.

As affidavits have not been invited, the allegations made in this writ 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.)