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04.10.2021
Ct. No.10
b.das

W.P.A. 25438 of 2017

(Via Video Conference)

Banshibadan Adhikari & Ors.
Vs.
State of W.B. & Ors.

Mr. Chittapriya Ghosh
Ms. Priyanka Saha ...for the petitioner.

Mr. Soumitra Bandyopadhyay
Mr. Aniruddha Sen ...for the State.

Liberty is granted to the petitioners to add Executive Engineer, Midnapore Highway Division, Public Works (Roads) Directorate, Paschim Medinipure as the respondent No.6 in the writ petition. The cause title of the writ petition be amended accordingly.

The grievance of the petitioners is that for the purpose of extension of State highway, a portion of land of the petitioners was acquired sometime in 1978 and the said plot is being utilized since 2017. In course of utilization of the said plot, a portion of the land owned by the petitioners which was not acquired by the State authorities has also been utilized.

The petitioners seek liberty to submit a representation before the Executive Engineer, Midnapore Highway Division, Public Works (Roads) Directorate for

demarcation of their land and necessary assessment, if any.

Upon considering the submissions made on behalf of the parties the writ petition is disposed of with liberty to the petitioners to ventilate their grievance in respect of the property before the Executive Engineer, Midnapore Highway Division, Public Works (Roads) Directorate, the added respondent No.6, within a week after the ensuing annual vacation.

The added respondent No.6 is requested to consider and dispose of the said representation within a period of three months from the date of receipt of the representation.

The respondent No.6 shall demarcate the land and consider other grievances of the petitioners which may be made out in the representation after giving reasonable opportunity of hearing to all the affected parties including the petitioner, in accordance with law.

Accordingly, WPA 25438 of 2017 is disposed of. However, there shall be 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 supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)