

08.04.2021
Item No. 07.
(P.Jana)

(Via Video Conference)

WPA 22291 of 2019

**Smt. Manikuntala Das Roy @
Mahamaya Das Roy
-Vs-
The State of West Bengal & ors.**

Mr. Prabir Kumar Chaudhuri,
Mr. Phatick Chandra Das,
... for the petitioner.

Mr. Sk. Robiul Islam,
... for the State respondents.

The petitioner claims that her father was the original allottee of plot no. 351, K.B.M. Refugees Colony, Chakdah, Nadia under R.S. Dag No. 427 more or less 10 cottahs of land under the Refugee Relief & Rehabilitation Department and she along with her son is residing in a portion of the said plot of land.

She complains that after the death of her father, the Refugee Relief & Rehabilitation Department, Government of West Bengal has illegally allotted a portion of the said plot in favour of her brother and step-mother.

Learned advocate for the petitioner submits that the petitioner has given a representation to the Sub-Divisional Officer, Land & Land Reforms and Refugee Relief & Rehabilitation Department, Sub-Division-Kalyani, the respondent no. 3 herein, praying that the rest portion of the said plot may be allotted in her favour and the petitioner is praying a direction upon the said

respondent no. 3 for consideration of her such representation.

Mr. Robiul Islam, learned counsel appearing on behalf of the Refugee Relief & Rehabilitation Department, submits that respondent no. 3 is not the competent authority to consider the prayer of the petitioner.

In view of such position of the matter, WPA 22291 of 2019 is disposed of by granting liberty to the petitioner to make a fresh representation to the Secretary, Refugee Relief & Rehabilitation Department, Government of West Bengal, for consideration of her said prayer.

If such representation is made, the said Secretary shall consider the same in accordance with law and shall dispose it of by a reasoned order after giving the petitioner and all other necessary parties an opportunity of hearing.

There shall be no order as to costs.

Since no affidavit-in-opposition has been invited, the allegations made in the writ petition are deemed to have been denied by the respondents.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance of all requisite formalities.

(Biswajit Basu, J.)