

September 24, 2021

ARDR

(33) (W/L)

WPA 22358 of 2019

Sibu Charan Malik

Vs.

The State of West Bengal & Ors.

Mr. Panchanan Hajra,

...for the petitioners.

Mr. Chandi Charan De,

Mr. Anirban Sarkar,

...for the State.

The petitioner complains that his land was requisitioned according to the West Bengal Land (Requisition and Acquisition) Act, 1948 (hereinafter referred to as the "said Act of 1948") but the land was not acquired subsequently. In the meantime the said Act of 1948 stood repealed with effect from March 31, 1997. The petitioner filed a representation before the respondent no. 3 on 19th August, 2019 for release of the land and payment of compensation but the said representation has not been considered till date. The petitioner prays for consideration of the said representation by the concerned authority.

Having considered the submissions made by the learned counsels appearing on behalf of the parties and the material on record, I dispose of the writ petition with a direction upon the respondent no. 3 to consider and dispose of the representation filed by the petitioners on 19th August, 2019 within a period of

three months from the date of communication of this order, after giving reasonable opportunity of hearing to all the affected parties including the petitioner, in accordance with law.

With the above observations and directions this writ petition being WPA No. 22358 of 2019 is disposed of. There shall be, however, no order as to costs.

Since no affidavit in opposition 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.)