

24.12.2021
rc/ct.no.10
Item No.06

WPA No. 24178 of 2019
Subhas Som & Ors.
Versus
The State of West Bengal & Ors.

Mr. Udaynarayan Betal ...for the petitioners

Mr. Chandi Charan De
Mrs. Chandana Ghosh for the State

The contention of the petitioners is that their land was requisitioned under Act-II to Case No. 18 of 1980-81 under Section 3(IA) of the West Bengal Land (Requisition and Acquisition) Act, 1948 for construction of Kotulpur-Sarishadighi-Lawgram-Panna Road and possession of the land was taken in 1980-81. No compensation was granted to the petitioners for the said land and the requisition and acquisition under the Act -II of 1948 lapsed in the meantime. The petitioners have prayed for payment of adequate compensation in their favour by the concerned Authority.

It is submitted by the learned counsel appearing on behalf of the State-respondents that the concerned Authority may be directed to assess the present market value of the land and pay compensation accordingly.

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. 6 to assess the current market value of the land in question under the provision of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 and pay adequate compensation to the petitioners. Such exercise should be completed 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 petitioners, in accordance with law.

With the above observations and directions this writ petition being WPA No. 24178 of 2019 is disposed of.

There shall be, however, 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)