

11
30.09.2021
Ct. No.10
b.das

W.P.A. 28180 of 2017

(Via Video Conference)

Tapas Kumar Sahu @ Sau & Ors.
Vs.
State of W.B. & Ors.

Mr. Sudip Sanyal,
Mr. Snehasis Jana
Ms. Tutun Das

...for the petitioners.

Mr. Soumitra Bandyopadhyay
Mr. Subhasis Bandyopadhyay

...for the State.

Mr. Dinesh Nandi

....for the respondent Nos.6, 10 & 11.

The affidavit of service filed in Court be taken on record.

The petitioners' prayer in the writ petition is for demolition of the bus stand that is being constructed on the land owned by the petitioners, without acquiring the same or payment of adequate compensation for the same.

Learned counsel for the petitioners candidly submits that the land in question has been returned to the petitioners in terms of a judgment of a co-ordinate bench of this Court in WPA 27581 (W) of 2016 passed on 26th July, 2018.

Perusal of the said judgment reveals that in a similar case where the land of the petitioners therein was utilized

without acquisition, the respondents were directed to remove the structure thereon and restore the possession of the land to the petitioners.

Learned counsel for the petitioners submits that in compliance with the said order, the petitioners in the present writ petition have also been handed over their land. The grievance of the petitioners have been redressed. Nothing remains in the writ petition.

Accordingly, WPA 28180 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.)