

W.P.A. 8002 of 2020

(Via Video Conference)

Smt. Mousumi Chand & Ors.

Vs.

State of W. B. & Ors.

Mr. Rwitendra Banerjee

Mr. S. Mitra

Ms. Ankita Dey

Ms. S. Dey

...for the petitioner.

Mr. Chandi Charan De

Ms. Chandana Ghosh

...for the State.

Heard the parties.

The grievance of the petitioner is directed in respect of compensation money to the extent of Rs.47 lakhs from the respondents and redistribution of the same equally amongst the legal heirs of late Rakha Hari Kundu.

The State is represented and files a report, a copy whereof has been served on the petitioner.

From the report, it appears that the acquisition proceedings were initiated in respect of the subject premises by the State respondents and the entire compensation money in respect of the same has been awarded to the heirs and legal representatives of late Rakha Hari Kundu.

It also appears from the report filed on behalf of the State that for the purpose of widening and upgradation of NH-32 in the district of Purulia the subject premises has been acquired by the State respondents. Subsequently, the land has been acquired in LA Case No.37 of 2015/NH-32 and process has been concluded.

The awardees have received the entire compensation are all the sons of late Rakha Hari Kundu being Sl. No.308, 369, 290 and 401 in the list of awardees. All the awardees have received their share of compensation in proportionate share.

In view of the aforesaid, it is submitted on behalf of the State that there is no merit in the case of the petitioner and that there are civil disputes by and between the heirs and legal representatives of the said late Rakha Hari Kundu which ought not to be adjudicated in the Writ proceedings.

In view of the aforesaid and the fact that the entire compensation money has been paid to the heirs of late Rakha Hari Kundu, there is no scope of passing any order in this petition. The disputes raised by the petitioner in this proceeding are private civil disputes.

Hence, WPA 8002 of 2020 stands dismissed. However, there will be no order as to costs.

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

(Ravi Krishan Kapur, J.)