

02.08.2021
rc/ct.no.10
Item No.08

WPA No. 9525 of 2020
Debabrata Guria
Versus
The State of West Bengal & Ors.
(VIA VIDEO CONFERENCE)

Mr. Supratick Syamal	
Mr. Dilip Kr. Shyamal	...for the petitioner
Mr. Susovan Sengupta	...for the State

The grievance of the petitioner is directed towards payment of compensation under the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement Act, 2013 (in short, “the Act”).

It is submitted by the Advocate appearing on behalf of the petitioner that the subject premises has been wrongfully acquired and the petitioner is entitled to compensation under the Act.

Mr. De, Advocate appearing on behalf of the State-respondents submits that in view of the averments contained in paragraph 13 of the instant petition that the petitioner is an occupier of Public Works Department’s land the petitioner can have no legally enforceable right to maintain this petition.

I am of the view that the averments made in paragraph 13 of the writ petition that the petitioner is an occupier of PWD’s land and the same has been acquired by

the respondents to construct the bridge does not entitles the petitioners to any relief of compensation whatsoever.

I am also of the view that the petitioner has no legally enforceable right to maintain this writ petition and cannot be entitled to any compensation from the State-respondents.

In view of the aforesaid, WPA No. 9525 of 2020 is dismissed.

There shall be, however, no order as to costs.

(Ravi Krishan Kapur,J)