

11.02.2021
Item no. 50
Aloke
Ct. no.38

(Through Video Conference)

W.P.A. 9938 of 2020

Rafiqul Laskar
Versus
The State of West Bengal & Ors.

Mr. Manabendra Thakur
Mr. Partha Sarathi Das

... for the petitioners

The petitioner claims to be the owner of a plot of land measuring about 1.83 acres at Mouza Chakpanchuria, P.S. Rajarhat, District North 24 Parganas. He says that such land was acquired by the Government under Act 2 of 1948 for the purpose of excavating Bagjola canal. However, such land has not yet been utilized for such purpose or for any other purpose. Hence, he has made a petition/representation dated October 9, 2018 to the Collector and the District Land and Land Reforms Officer and also to the Land Acquisition Collector, North 24 Parganas, for release of such land and return of the same to him. His short grievance is that such representation has not been considered till date.

In spite of service nobody appears from the respondents.

However, the order I propose to pass will not prejudice the respondents in any manner and, hence, I do

not see any reason to keep this writ petition pending for a later date.

Accordingly, the 2nd respondent is directed to consider the petitioner's representation dated October 9, 2018 (Annexure P-2 to the writ petition) and dispose of the same by a reasoned order, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order along with a copy of the writ petition, after giving an opportunity of hearing to the petitioner or his authorized representative. The decision so taken shall be communicated to the petitioner within a week from the date of the decision.

I have not gone into the merits of the petitioner's case. It will be upto the 2nd respondent to take an informed decision, in accordance with law.

With the aforesaid directions, W.P.A. 9938 of 2020 is disposed of.

Since no affidavit has been called for, none of the allegations in the writ petition shall be deemed to have been admitted by the respondents.

(Arijit Banerjee, J.)