

W.P.A. 11148 of 2020

(Via Video Conference)

Jayanta Prasad Roy
Vs.
State of W. B. & Ors.

Mr. Samrat Dey Paul
Mr. T. Mukherjee ...for the petitioner.

Mr. Soumitra Bandyopadhaya
Mr. R.C. Guchhait
...for the State.

Heard the parties.

The grievance of the petitioner is for consideration and disposal of his representation in respect of relinquishment of a plot being premises No.2488.

It is alleged on behalf of the petitioner that in respect of the subject premises, the petitioner is entitled to an order of relinquishment.

Mr. Bandyopadhyay appears on behalf of the State respondents and submits that there are pure civil disputes by and between the petitioner and the private respondents and the petitioner is not entitled to any relief in this petition.

It is further submitted on behalf of the State that a Civil Suit is also pending by and between the petitioner

and the private respondent before the competent Court of law.

It is also submitted on behalf of the State that the subject premises was acquired approximately 40 years ago and the predecessor-in-interest of the petitioner had received the entire compensation in respect of the aforesaid acquisition proceedings.

In view of the submissions made on behalf of the State and primarily on the ground that there are purely civil disputes by and between the petitioner and the private respondents and that the subject premises were acquired 40 years ago and that the predecessor-in-interest of the petitioner had received the entire compensation money, I am of the view that the petitioner is not entitled to any relief in this petition.

Hence, I am unable to grant any relief in respect of the relinquishment of the premises of the petitioner on inter alia the ground of pendency of civil dispute by and between the petitioner and the private respondents.

With the aforesaid directions, WPA 11148 of 2020 is 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.)