

16
23.12.2021
Ct. No.10
b.das

W.P.A. 11750 of 2020

(Via Video Conference)

Lokmal Haque & Anr.
Vs.
State of W.B. & Ors.

Mr. D. Banerjee ...for the petitioner.

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

Ms. Manika Roy ...for the NHAI.

Heard learned counsels for the parties.

The petitioners complain that though the respondent authorities issued notice for acquisition of 326.7 decimals of land out of 630 decimals in the plot, the entire plot was utilized by the respondents, though compensation has been paid only in respect of 326.7 decimals of the plot.

The petitioners pray for a direction upon the concerned authority to consider their contention and either pay compensation in respect of the remaining portion of the land or return the said portion to them.

It is submitted on behalf of the State respondents that the contention of the petitioners may be considered by the authority on merits.

It is submitted on behalf of the National Highways Authority of India that compensation with regard to the

acquisition of the land in the entire village has been deposited before the competent authority for disbursal of the same.

Having considered the submissions made on behalf of the parties, this Court is of the view that the grievance of the petitioners ought to be addressed by the concerned authority by considering the oral and documentary evidence placed by the petitioners before the authority.

The writ petition be construed as the representation before the 4th respondent and the 4th respondent should consider and dispose of the representation within a period of three months from the date of communication of this order after giving reasonable opportunity of hearing to all the interested parties including the petitioners, in accordance with law.

It is made clear that this Court has not entered into the merits of the petition and the petitioners shall be at liberty to place all their points as contended in the petition before the authority at the time of hearing.

With the above observations, the writ petition being WPA 11750 of 2020 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.)