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***CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE JURISDICTION
(Via Video Conference)***

W.P.A. 329 OF 2021

Puspa Das

-vs.-

The State of West Bengal & Ors.

Mr. Jagriti Mishra
Mr. Subhasish Misra.

....For the Petitioner.

Mr. Hirak Barman
Mr. Momenur Rahman.

....For the State

1. This is an application under Article 226 of the Constitution of India wherein the writ petitioner is aggrieved by the inaction on the part of the respondent authorities in considering her representation dated December 4, 2018.

2. Counsel appearing on behalf of the State submits that this matter is required to be decided by the District Magistrate, Cooch Behar while the letter/representation made by the petitioner is to the Collector and to the Special Land Acquisition Officer, Cooch Behar.

3. I have heard counsel appearing for both the parties and perused the materials on record. In my view, this matter should be sorted out properly by the authority concerned.

4. In light of the above submissions, I direct the District Magistrate, Cooch Behar to treat this writ petition as representation and after granting an opportunity of hearing to the petitioner and the other relevant respondents pass a reasoned order within a period of four weeks from the date of communication of this order. The reasoned order be communicated to the petitioner within a week of passing of the same.

5. It is made clear that if the order is in favour of the petitioner, consequential benefits should follow expeditiously.

6. With the above direction the writ petition is disposed of. There will be no order as to costs.

7. I make it clear that I have not gone into the merits of this case.

8. Since no affidavit-in-opposition is called for, the allegations made in the writ petition are deemed not to have been admitted.

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

(Shekhar B. Saraf, J.)