

22.07.2021
rc/ct.no.10
Item No.CB-01

WPA No. 1081 of 2021
Mehebub Alam
Versus
The State of West Bengal & Ors.

(Circuit Bench of Calcutta High Court at Jalpaiguri)
(VIA VIDEO CONFERENCE)

Mr. Sobhan Mazumderfor the petitioner

Mr. Chandi Charan De
Mr. Ziaul Islam ...for the State

The grievance of the petitioner is that the application under Section 18 of the Land Acquisition Act, 1894 has not been disposed of by the respondent authorities and more particularly, by the District Magistrate, Coochbehar.

It is submitted by the Advocate appearing on behalf of the petitioner that in respect of the acquisition of the subject premises, the petitioner had received initial compensation. However, being aggrieved by the initial compensation the petitioner had filed an application under Section 18 of the Land Acquisition Act, 1894 which is yet to be disposed of.

Mr. Chandi Charan De, Advocate appearing on behalf of the State, submits that the application under Section 18 of the Land Acquisition Act, 1894 of the petitioner is barred by the limitation and there has been immense and inordinate delay on the part of the petitioner in approaching the the District Magistrate, Coochbehar.

In view of the aforesaid, WPA No. 1081 of 2021 is disposed of by directing the concerned authorities to consider and dispose of the application under Section 18 of the Land Acquisition Act, 1894 of the petitioner in accordance with law within a period of four weeks from the date of communication of this order after giving a right of hearing to all the affected parties including the State-respondents.

It is made clear that I have not entered into the merits of this case and the concerned authorities will not be influenced by any observation on the merits of this case or on the question of maintainability of such application.

It is also made clear that after disposing of the representation of the petitioner, the concerned authorities will communicate its reasoned order to all concerned parties who are heard.

It is expected that the entire exercise will be completed by the concerned authorities within a period of 8 weeks from the date of communication of this order.

With the above observations and directions, this writ petition being WPA No. 1081 of 2021 stands disposed of.

(Ravi Krishan Kapur,J)