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jdt.

23.06.2022
jb.

W.P.A. 148 of 2022
(Mir Mossaref & Ors. vs. State of West Bengal & Ors.)

Mr. Partha Pratim Roy
Mr. Dyutiman Banerjee
.... For the Petitioners

Mr. Soumitra Bandyopadhyay
Mr. Subhasis Bandyopadhyay
.... For the State

Affidavit of service filed by the petitioners is taken on record.

The petitioners were granted a decree by the Special Land Acquisition Judge, Alipur under Section 18 of the Land Acquisition Act, 1894 on 13th May, 1986 wherein the Court determined the market value of the acquired land and directed the opposite party therein to pay the amount calculated in Court within a period of 90 days from the date of the judgment.

Learned counsel for the petitioner, in his usual fairness, submits that no execution proceeding was filed for execution of the said order and the amount assessed has not been paid to them by the respondents.

The petitioners seek liberty to submit a comprehensive representation before the 2nd respondent

in this regard and pray for a direction upon the Authority to consider the representation at the earliest.

Having considered the submissions made on behalf of the parties, the writ petition is disposed of with liberty to the petitioners to submit a comprehensive representation in this regard before the 2nd respondent within a fortnight from date. The 2nd respondent is directed to consider and dispose of the representation within two months from the receipt thereof after affording reasonable opportunity of hearing to the petitioners, in accordance with law. Such consideration may be made by the Authority in terms of the order/judgment of the learned Land Acquisition Judge sympathetically.

The decision taken by the Authority shall be communicated to the petitioners within a week thereof.

W.P.A. 148 of 2022 is thus disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)