

09.02.2022
rc/ct.no.10
Item No.17

WPA No. 531 of 2022
Arabinda Nayek
Versus
The State of West Bengal & Ors.

Mr. Farruque Gazi
Mr. Nirmalendu Bera
Mr. Gora Chand Samanta ...for the petitioner

Mr. Soumitra Bandyopadhyay
Mr. Anirban Sarkar ...for the State

Affidavit of service filed by the learned counsel appearing on behalf of the petitioner be taken on record.

On the prayer of the learned counsel appearing on behalf of the petitioner, leave is granted to the petitioner to implead the Special Land Acquisition Officer, South 24-Parganas as respondent no. 7 in the writ petition. The writ petition be amended accordingly.

It is submitted by the learned counsel appearing on behalf of the petitioner that the petitioner was granted 'Patta' in respect of the land in question as a land loser and was possessing the same by recording his name in the record of rights. The highway constructed by the State-respondents runs through a portion of the petitioner's land despite the fact that the said portion was never acquired. The petitioner submitted a representation before the concerned authority in this regard praying for compensation in respect of the utilised portion of the land on December 20, 2021, which is yet to be disposed of. The petitioner prays for a direction upon the concerned

authority to consider the representation of the petitioner at the earliest.

Having considered the submissions made by the learned counsels appearing on behalf of the parties and the material on record, the writ petition is disposed of directing the respondent no. 7 to consider and dispose of the representation filed by the petitioner on December 20, 2021, within a period of two months from the date of communication of this order, after giving reasonable opportunity of hearing to all the affected parties including the petitioner, in accordance with law.

With the above observations and directions this writ petition being WPA No. 531 of 2022 is disposed of.

There shall be, however, 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)