

20
24.06.2022
Ct. No.10
b.das

WPA 2499 of 2022

Guru Prasad Chattopadhyay
Vs.
The State of W. B. & Ors.

Mr. Arjun Samanta ...for the petitioner.

Mr. Partha Pratim Roy
...for the pro-forma respondent.

Mr. Chandi Charan De
Mr. Anirban Sarkar ...for the State.

Affidavit of service filed on behalf of the petitioner is taken on record.

Heard learned counsels for the parties.

It is contended on behalf of the petitioner as well as the pro-forma respondent that about 2.22 acres of land belonging to the petitioner and the pro-forma respondent was requisitioned by the State respondents, out of which land measuring about 2.17 acres was actually acquired. The remaining 0.05 acres of land has not been acquired.

The petitioner claims return of the said land after demarcation of the same.

It is submitted on behalf of the State respondents that the said quantum of land may be considered for return after the plot is demarcated.

In view of the same, the writ petition is disposed of directing the 2nd respondent to take necessary steps for

demarcation of the plot in question in presence of the petitioner and the pro-forma respondent or their authorised representatives within three months from date. Upon ascertaining the 0.05 acres of land belonging to the petitioner which has not been acquired, the authority should consider return of the said portion of the land to the petitioner within a month thereafter.

It is undertaken on behalf of the petitioner and the pro-forma respondent that subject to return of the said portion of the land, they shall not claim any compensation for the same.

With the above observations and directions, the writ petition being WPA 2499 of 2022 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.)