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jdt.

10.11.2022
jb.

**W.P.A. 3571 of 2021
(CAN 1 of 2021 and CAN 2 of 2022)
(Liakat Ali & Ors. vs. State of West Bengal & Ors.)**

**Mr. Uday Narayan Betal
Mr. Mrityunjoy Chatterjee
Md. Sabber Biswas
.... For the Petitioners**

**Mr. Jahar Lal De
Mr. Shamim Ul Bari
.... For the State**

**Mr. Arindam Das
.... For the Respondent No. 9**

The petitioners are aggrieved by the order passed by the District Land and Land Reforms Officer, Murshidabad on 30th May, 2019 directing the petitioners to pay the lease rent which, according to the petitioners, has been arrived at arbitrarily and without any basis. The petitioners seek liberty to submit a comprehensive representation before the concerned authority and pray for direction upon the authority to consider the representation within a stipulated time frame.

It is submitted on behalf of the State respondents that pursuant to the concluded contract of offer and

acceptance of long term settlement of the fishery in question, the possession of the fishery was handed over to the petitioners on 10th July, 1990, the said fact being accepted by the petitioners in paragraph 21 of the writ petition. Learned counsel submits that an amount of Rs.1,06,85,207/- is due from the petitioners as on 17th December, 2021.

Be that as it may, since the petitioners intend to submit a comprehensive representation before the competent authority in this regard, the writ petition is disposed of with liberty to the petitioners to submit a comprehensive representation before the 4th respondent within a fortnight from date. The 4th respondent is directed to consider and dispose of the representation submitted by the petitioners within two months from the date of receipt thereof upon affording reasonable opportunity of hearing to all the interested persons including the petitioners, in accordance with law.

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

Pending disposal of the representation, no coercive action shall be taken by the concerned authority against the petitioners.

The writ petition is thus disposed of.

It is made clear that this Court has not gone into the merits of the case and the concerned authority shall be at liberty to deal with the representation submitted

by the petitioners independently in accordance with law without being influenced by any observation made in the body of this order.

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.

Consequently CAN 1 of 2021 and CAN 2 of 2022 stand disposed of.

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

(Suvra Ghosh, J.)