

27.06.2022
rc/ct.no.10
Item No.35

WPA No. 3035 of 2022
Hemonta Ghosh
Vs.
The State of West Bengal & Ors.

Mr. Mukteswar Maity
Mr. Prabir Rej ...for the petitioner

Mr. Raja Saha
Mr. S.P.Lahiri ...for the State

Mrs. Monika Roy ...for the NHAI

The petitioner claims to be the recorded owner of the plot in question and complains that though the plot has been acquired by the State Authorities, no compensation has been granted to the petitioner for the same.

Per contra, it is submitted by the learned counsel appearing on behalf of the respondents that the plot in question being Batadag No. 83/304 is vested land and there is no question of grant of any compensation to the petitioner for the same. The petitioner has submitted a representation ventilating his grievance before the concerned authority which was received on 11.08.2021. The petitioner submits that the representation has not been considered as yet and prays for direction upon the authority to consider the said representation at the earliest.

In view of the above, the writ petition is disposed of directing the 2nd respondent to consider and dispose of

the representation received by the authority on 11.08.2021 within a period of one month 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.

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

It is made clear that this Court has not gone into the merits of the case and the petitioner shall be at liberty to place his contention as made out in the writ petition before the authority at the time of hearing.

With the above observations and directions this writ petition 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)