

01.07.2022
rc/ct.no.10
Item No.26

WPA No. 3467 of 2022
Tapan Kumar Giri & Ors.
Versus
State of West Bengal & Ors.

Mr. Lal Ratan Mondal
Mr. Dilip Kumar Sadhu ...for the Petitioners

Mr. Chandi Charan De
Mr. Somnath Mukherjee for the State

Mr. Dipankar Das ...for the NHAI

The report submitted by the State-respondents is taken on record.

The petitioners received compensation in lieu of acquisition of their land wherein the acquired land has been classified as “Sali”. The petitioners’ claim is that the land is “Bastu” land and they are entitled to compensation accordingly.

Placing reliance on the report submitted by the Special Land Acquisition Officer, Paschim Medinipur, it is submitted on behalf of the State-respondents that the claim of the petitioners has been communicated to the Project Director, National Highway Authority of India, the respondent no. 5 herein, and the matter is under consideration.

In view of the same, this Court is inclined to hold that the Special Land Acquisition Officer, Paschim Medinipur, being the 4th respondent herein, be directed to ascertain the nature of the land under acquisition and

take necessary steps for payment of compensation to the petitioners in accordance with the same within two months from the date of communication of this order, after giving reasonable opportunity of hearing to all the interested parties including the petitioners, if required, in accordance with law.

Pursuant to such ascertainment, the 5th respondent shall place the required the fund before the State authorities within one month thereof.

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)