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05.12.2022
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W.P.A. 3846 of 2022
(Mahadeb Das & Anr. vs. State of West Bengal & Ors.)

Mr. Gautam Banerjee

Ms. Priya Dey

.... For the Petitioners

Mr. Ashim Kr. Ganguly

Mr. Jaydip Banerjee

.... For the State

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

The petitioners pray for a direction upon the State respondents to comply with the order passed by a co-ordinate Bench of this Court on 21st November, 2013 in W.P. No. 30363(W) of 2013.

The said order is set out:

“Having heard Mr. Banerjee and Mr. Rabi, learned advocates for the petitioners and the respondents respectively and considering the nature of grievance raised by the petitioners (they are aggrieved because their representation dated 09.07.2013 praying for release of compensation has not been considered), I find no reason to keep the writ petition pending. The same stands disposed of with a direction upon the Land Acquisition Collector, respondent no.2 to consider and dispose

of the petitioners' said representation dated 09.07.2013 in accordance with law within six weeks from date of receipt of a copy of this order.

In the event the respondent no.2 accepts the prayer of the petitioners, follow up steps shall be taken as early as possible but not later than six weeks from the date of receipt of a copy of this order.

However, if the petitioners' prayer does not deserve acceptance and the representation is rejected, a reasoned order shall be passed and communicated to them.

Needless to observe, I have not examined the petitioners' claim on merits.

There shall be no order for costs.

Urgent photostat certified copy of this order, if applied for, be furnished expeditiously."

It is most unfortunate that the State authorities have not cared to comply with an order, which was passed on 21st November, 2013.

Be that as it may, a final opportunity be given to the respondents to comply with the said order within a stipulated time frame.

Accordingly, the writ petition is disposed of directing the 2nd respondent to comply with the order passed by this Court on 21st November, 2013 in W.P. 30363(W) of 2013 within one month from the date of communication of this order upon affording reasonable opportunity of hearing to the petitioners, in accordance with law.

The writ petition is thus disposed of.

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.

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

(Suvra Ghosh, J.)