

WPA 5164 of 2022

Sk. Rejaul Hoque & Anr.
Vs.
The Sabhadhipati, Purba Bardhaman Zilla Parishad & Ors.

Mr. P. K. Bhattacharya ...for the petitioners.

Mr. Susovan Sengupta
Mr. Subir Pal ...for the State.

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

Heard learned counsels for the parties.

It is alleged on behalf of the petitioners that though the land of the petitioners was acquired by the State respondents, no compensation has been paid to the petitioners for the same. A proposal for direct purchase of the plot in question was initiated by the authority pursuant to the representations submitted by the petitioners and the said process has not culminated in a positive decision.

The petitioners pray for a direction upon the authority to take necessary steps in consideration of the representations pending before the authority.

It is submitted on behalf of the State respondents that since the petitioners have been engaged as pump operators in the water supply scheme in the land in

question, the question of direct purchase of the property, does not arise. Learned counsel for the State respondents submits that the Principal Secretary, Land and Land Reforms, Government of West Bengal is the competent authority to deal with the matter.

It transpires from the record that pursuant to representations submitted by the petitioner, proposal for direct purchase was initiated by the State authorities and in a letter issued by the Superintending Engineer, Central Circle, PHE Department on 24th April, 2019 to the Chief Engineer, Western Zone, PHE Department, the latter was requested to place necessary funds for direct purchase of the land in question.

A letter issued by the Executive Engineer, Bardhaman Division on 8th February, 2022 records that the land owner has been engaged as pump operator in the water supply scheme and at the same time, the proposal for direct purchase of the land in question was under consideration.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that since proposal for direct purchase of the plot in question is under consideration by the concerned authority pursuant to representations submitted by the petitioners, the authority should be directed to take the proceeding to its logical conclusion within a stipulated time frame.

Accordingly, the writ petition is disposed of directing the 6th respondent to consider and dispose of the representations submitted by the petitioners which are pending before the authority and take necessary steps to bring the proceeding initiated for direct purchase of the plot in question to its logical conclusion within two months from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioner, in accordance with law.

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

With the above observations the writ petition being WPA 5164 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.)