

18.02.2022
rc/ct.no.10
Item No.03

WPA No. 4155 of 2016
Elahi Box Mondal & Ors.
Versus
The State of West Bengal & Ors.
(VIA VIDEO CONFERENCE)

Mr. Alok Roy Chowdhury
Mrs. Anindita Roy Chowdhury ...for the Petitioners

Mr. L.M.Mahato
Mr. P.B.Mahato ...for the State

It is not in dispute that the land of the petitioners was utilised by the State-respondents under the Pradhan Mantri Sarak Yojana. The petitioners claim compensation in this regard according to the present market rate of the property and submitted a representation ventilating their grievance before the authority on November 04, 2015 which is yet to be disposed of. The petitioners pray for a direction upon the authority to consider the representation at the earliest.

It is submitted by the learned counsel appearing on behalf of the State-respondents that as the land was made over by the petitioners for the scheme voluntarily, they are not entitled to any compensation under the scheme.

Having considered the submissions made on behalf of the parties this Court is of the view that the representation submitted by the petitioners ought to be considered by the State-respondents after hearing the petitioners in the matter.

Accordingly, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the representation submitted by the petitioners on November 04, 2015 within a period of one month from the date of communication of this order after giving reasonable opportunity of hearing to all the interested parties including the petitioners, in accordance with law.

The decision taken by the respondent no. 2 shall be communicated to the petitioners within a week thereafter.

With the above observations and directions this writ petition being WPA No. 4155 of 2016 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)