

WPA 6619 of 2022

Krishnaprasad Ghosh & Ors.
Vs.
The State of W.B. & Ors.

Mr. Uttiya Ray
Mr. Arnab Mandal ...for the petitioners.

Mr. Chandi Charan De
Mr. Haripada Maity ...for the State.

Affidavit of service filed by the petitioners and report submitted on behalf of the State respondents are taken on record.

None appears for the Burdwan Development Authority despite service.

Heard learned counsels for the parties.

It is not in dispute that the land of the petitioners was utilized by the Burdwan Development Authority, being the 5th respondent herein, though the land was not acquired by due process of law.

The report submitted on behalf of the State respondents indicates that by a letter issued on 1st February, 2016 the Chief Executive Officer, Burdwan Development Authority initiated a proposal for direct purchase of the plot in question to the Additional Chief Secretary to the Government of West Bengal, Urban Development Department, Kolkata.

It is submitted on behalf of the petitioners that the said proceeding has not been completed till date though the said proposal has been accepted by the government.

In view of the above, this Court is inclined to hold that since the proposal for direct purchase of the plot in question has been initiated and accepted, the entire proceeding for direct purchase should be directed to be completed within a stipulated time frame.

The writ petition is accordingly disposed of directing the 5th respondent to take the proceeding for direct purchase of the plot in question to its logical conclusion keeping in view the present market rate of the plot within a period of three months from the date of communication of this order after affording reasonable opportunity of hearing to all the interested parties including the petitioners, in accordance with law.

With the above observations and directions this writ petition being WPA 6619 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.)