

WPA 7887 of 2022

Julfikar Ali Chowdhury & Anr.
Vs.
The State of W.B. & Ors.

Mr. P. Bhattacharyya ...for the petitioner.

Mr. Chandi Charan De
Mr. A. Sarkar ...for the State.

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

Heard learned counsels for the parties.

The petitioners are aggrieved by the fact that their land has been acquired and utilized by the State respondents for construction of road, but no compensation was paid to them in lieu of the same.

The petitioners submitted a representation before the concerned authority in this regard, which was received by the authority on 11th June, 2019. No further step has been taken by the authority till date.

The petitioners pray for a direction upon the authority to act in terms of the representation submitted by the petitioners. Communications were made between the Executive Engineer, Asansol Highway Division and the Land Acquisition Collector, Purba Bardhaman, the Special Land Acquisition Officer, Purba Bardhaman and also the Superintending Engineer Western Highway Circle No.-I,

Purba Bardhaman. A proposal for direct purchase of the land in question was approved by the Governor. The fund for the said purpose was transferred to the office of the Zilla Parishad vide Memo No.1452/LA/Sqd-II/15 dated 29th May, 2015.

Upon consideration of the submission made on behalf of the parties and material on record, this Court is of the view that since the proposal for direct purchase of the plot in question has been initiated by the respondent authorities pursuant to the representation submitted by the petitioners, the said authorities be directed to take the proceeding to its logical conclusion within a stipulated time frame.

In view of the above, the writ petition is disposed of directing the 4th respondent to act in terms of the communication made by the Special Land Acquisition Officer, Purba Bardhaman to Superintending Engineer, Western Highway Circle No.-I, Purba Bardhaman on 27th August, 2021 and take the proceeding for direct purchase of the plot in question to its logical conclusion within four months from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioners, in accordance with law.

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

With the above observations and directions this writ petition being WPA 7878 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.)