

WPA 8888 of 2022

Dilip Kumar Koley & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Panchanan Hajra,

...for the petitioners.

Mr. Ashim Kumar Ganguly,
Mr. Bellal Shaikh

...for the State.

Written instructions submitted on behalf of the State respondents is taken on record.

The petitioners' grievance is that the plot of land originally belonging to the predecessor-in-interest of the petitioners Gour Mohan Koley was acquired by the State authorities vide L.A. case no. I-36/1962-63 for the purpose of construction of Arambagh - Tirol road. Subsequently it was held by the authority that the said road was completed long ago and the land of the petitioners was no longer required for the purpose. Proposal for relinquishment of the said land was sent to the Superintending Engineer, State Highways Planning Circle P.W.(Road) Directorate by the Executive Engineer, Highway Survey Division-I on 16th October, 2001. The petitioners complain that the land has not been relinquished in their favour till date. The petitioners submitted a representation on 8th April, 2022 in this regard before the concerned authority which is yet to be considered. The petitioners pray for a direction upon the authority to consider the representation at the earliest and

take necessary steps for relinquishment of the plot in question in their favour.

Placing reliance on the written instructions submitted by the State respondents, learned counsel for the State respondents submits that the plot in question has been reserved for further widening and strengthening of Arambagh-Tirol road and relinquishment of the said plot is not possible at present.

Be that as it may, since representation submitted by the petitioners is pending consideration by the authority, the concerned authority may be directed to consider the said representation in accordance with law.

Accordingly, the writ petition is disposed of directing the 4th respondent to consider and dispose of the representation submitted by the petitioners dated 8th April, 2022 within two months from the date of communication of this order after affording reasonable opportunity of hearing to all the interested persons including the petitioners, in accordance with law.

The petitioners shall be at liberty to place their contention as well the relevant documents in support of the same before the authority at the time of hearing.

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

In the event the authority takes a decision in favour of the petitioners, consequential steps be taken by the authority within a month thereafter.

With the above directions, WPA 8888 of 2022 is disposed of. There shall however, 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J.)