

WPA 7907 of 2011

Manas Pramanik & ors.
-vs-
The State of West Bengal & ors.

Mr. Prasanta Behari Mahata
Mr. Dilip Kumar Sadhu
Mr. Lal Ratan Mondal
...for the petitioners
Mr. Chandi Charan De, Ld. AGP
Mr. Soumitra Bandyopadhyay
...for the State
Mr. S. M. Hassan
Mr. Saikat Mondal
...for the respondent no.5

This is an application praying for direction upon the respondents to pay interest at the rate of 18% per annum under Section 33 of the West Bengal Industrial Infrastructure Development Corporation Act, 1974 for acquisition of land vide L. A. Case No. 4 of 1996-97 till the date of payment of compensation for the same i.e., on 19.12.2006 and 4.01.2007, within a stipulated period of time.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners received compensation with objection on 19.12.2006 and 04.01.2007. Thereafter several reminders were given including on 13.04.2011 for payment of interest on the delayed payment of compensation. At this stage, the petitioners prays for a direction that they may be permitted to file a fresh representation praying for payment of interest on the

delayed payment of compensation before the respondent no. 4.

Learned counsel appearing on behalf of the State submits that the respondent no.4 would be in a position to consider such representation, if made on behalf of the petitioner.

I have heard the submissions of the learned counsels appearing on behalf of the parties and have perused the writ petition.

It appears that the petitioners were given compensation for acquisition of land on 19.12.2006 and 04.01.2007. However, it is the petitioner's contention that there was a considerable delay in making such payment, which entitles them to claim interest.

In the interest of justice, the petitioners shall be at liberty to make a fresh representation before the respondent no. 4 stating the facts and praying for interest on the purported delay in payment of compensation within three weeks from this date and the same shall be considered by the respondent no.4 in accordance with law within a period of six weeks from the date of receipt of such representation.

With these observations, the writ petition is disposed of.

Urgent photostat certified copies of this order may be delivered to the learned Advocates for the parties, if applied for, upon compliance of all formalities.

(Jay Sengupta, J.)

