

17.11.2022
rc/ct.no.10
Item No.11

WPA No. 10487 of 2018

Mr. Tarun Kumar Das ...for the petitioner

Mr. Susovan Sengupta
Mr. Manas Kumar Sadhufor the State

The petitioner claims to be the recorded owner of the plots in question and is aggrieved by the fact that the State-respondents have acquired a portion of the said plots but only part compensation was paid to the petitioner.

Learned counsel for the petitioner has placed reliance on a letter issued by the Sub-Divisional Officer, Sadar, Jalpaiguri to the Executive Engineer, North Bengal Development Department, Jalpaiguri on 29.05.2017 indicating that further compensation is due to the petitioner. A letter issued by the Special Land Acquisition Officer, Jalpaiguri to the Sub-Divisional Officer, Sadar, Jalpaiguri on 22.11.2017 has also been relied upon wherein the Special Land Acquisition Officer, Jalpaiguri has suggested direct purchase of the land from the land owners. The petitioner seeks liberty to submit a comprehensive representation before the concerned authority ventilating his grievance and prays for a direction upon the authority to consider the said representation at the earliest.

It is submitted by the learned counsel appearing on behalf of the State-respondents that the 3rd respondent be directed to consider the representation submitted by the petitioner upon taking into account the official records available with the authority.

In view of the above, the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation before the 3rd respondent ventilating his grievance within a fortnight from date. The 3rd respondent is directed to consider and dispose of the representation within two months from the date of receipt thereof after affording reasonable opportunity of hearing to all interested parties including the petitioner, in accordance with law.

In the event it is found that the petitioner is entitled to the relief as claimed, necessary steps be taken in this regard within one month thereafter by the competent authority.

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 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)