

WPA 10940 of 2022

Manik Chandra Ghosh & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Panchanan Hajra,
Mr. Susovan Sengupta,
Mr. Subir Paul,
...for the petitioners.
...for the State.

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

It is contended on behalf of the petitioners that the plots of land owned by the petitioners was requisitioned by the State respondents under the West Bengal Land (Requisition and Acquisition) Act, 1948 and possession was taken on 18th September, 1975. Subsequently, the proposed scheme of the Government was abandoned and the land was not acquired. In the meantime, the Act of 1948 stood repealed with effect from March 31, 1997. The petitioners submitted a representation before the concerned authority on May 5, 2022 for de-requisitioning and releasing their land and payment of compensation but the said representation has not been considered till date. The petitioners pray for a direction upon the authority to consider the representation at the earliest.

Having considered the submission made on behalf of the parties, the writ petition is disposed of directing the 3rd respondent to consider and dispose of the representation

submitted by the petitioners dated May 5, 2022 within three 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.

In the event the representation is decided in favour of the petitioners, necessary consequential steps shall be taken by the State respondents within a month thereafter.

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

With the above directions, WPA 10940 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.)