

WPA 11379 of 2018

Janmanjoy Midya & ors.
Vs.
The State of West Bengal & ors.

Adv. Pampa Dey Dhabal,
...for the petitioners.
Adv. Susovan Sengupta
Adv. Manas Kumar Sadhu,
...for the State.

It is submitted on behalf of the respondents that the respondents do not intend to use any affidavit in opposition in this matter.

Supplementary affidavit filed by the petitioners is taken on record.

The petitioners claim compensation for acquisition of plots of land owned by them, such acquisition being made vide L.A. case No.II-71 of 1973-74. The supplementary affidavit submitted on behalf of the petitioners suggests the predecessor-in-interest of the petitioners purchased the property in question from one Kanai Lal Samanta. The letter issued by the Additional Land Acquisition Officer, South 24 Parganas to the petitioners on 18th February, 2015 also suggests that the award in respect of the plots in question was declared in the name of Kanai Lal Samanta and deposited in the court of the learned Land Acquisition Judge, Alipore, South 24 Parganas.

It is submitted on behalf of the respondents that the predecessor-in-interest of the petitioners being the

subsequent purchasers and the petitioners having inherited the property from their predecessor-in-interest, as claimed by them, are at liberty to approach the appropriate Court for payment of compensation in their favour.

In view of the same, the writ petition is disposed of with liberty to the petitioners to approach the learned Land Acquisition Judge, Alipore, South 24 Parganas along with relevant documents in support of their claim for payment of compensation in their favour.

The writ petition being WPA 11379 of 2018 is disposed of accordingly.

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.)