

08.12.2022
rc/ct.no.10
Item No.17

WPA No. 14500 of 2017
With
CAN No. 1 of 2017 (Old No. CAN 9190 of 2017)

Mr. Sarbananda Sanyal	...for the petitioner
Mr. Chandi Charan De	...for the State
Mr. Uttam Kumar Mandal	...for the NTPC

Re : CAN No. 1 of 2017 (Old No. CAN 9190 of 2017)

The applicants seek to be added as respondents in the writ petition on the ground that they are the requiring body who has been handed over the plot in question for construction of Katwa Thermal Power Station.

By consent of the parties, the application being CAN No. 1 of 2017 (Old No. CAN No. 9190 of 2017) is allowed.

The applicants be added as respondents no. 5 and 6 in the writ petition.

Re : WPA No. 14500 of 2017

On the prayer of the petitioner liberty is granted to implead the District Magistrate, Purba Burdwan as respondent no. 7 in the writ petition.

The cause title of this writ petition be amended accordingly.

None appears on behalf of the State-respondents despite service.

Mr. Chandi Charan De, learned advocate, who usually appears on behalf of the State-respondent and is present in Court today, is requested to represent the State-respondents in this matter. The office of the learned Legal Remembrancer is requested to regularise the service of Mr. De in this matter.

The petitioner is directed to serve a copy of the writ petition along with annexure thereto upon Mr. De in course of this day.

The petitioner prays for reference of his application under Section 18 of the Land Acquisition Act, 1894 to the court of civil jurisdiction.

Upon consideration of the submission made on behalf of the parties, the writ petition is disposed of directing the 7th respondent to consider the application filed by the petitioner on 11.11.2019 within one month from the date of communication of this order, in accordance with law.

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)