

April 18, 2022
ARDR
(71)

WPA 14503 of 2017
+
CAN 1 of 2017 (Old CAN 9193 of 2017)

Kanti Ghosh
Vs.
The State of West Bengal & Ors.

Mr. Partha Pratim Roy, Ms. Poulami Chakraborty	...for the petitioner.
Mr. Debayan Bera, Sr. Adv., Mr. Uttam Kumar Mandal, Ms. Maitree Roy,	...for the NTPC Ltd.
Mr. Pinaki Dhole, Mr. Debashish Sarkar,	...for the State.

Re : CAN 9193 of 2017

The applicants NTPC Limited and the General Manager (Project), NTPC Limited have prayed for impleading them as added respondents in the writ petition on the ground that they are the requiring body who have been handed over a huge chunk of acquired land for construction of Katwa Thermal Power Station.

By consent of the parties, the application being CAN 9193 of 2017 is allowed.

Department is directed to carry out the necessary correction.

Re: WPA 14503 of 2017

On prayer of the writ petitioner, liberty is granted to implead the Land Acquisition Collector, Purba Burdwan as the 5th respondent in the writ petition.

The cause title of the writ petition be amended accordingly.

Department is directed to carry out the necessary correction.

The innocuous prayer of the petitioner is for a direction upon the 5th respondent to consider the application of the petitioner being Annexure P/1 to the writ petition for reference under Section 18 of the Land Acquisition Act, 1894.

Upon consideration of the submissions made on behalf of the parties, the writ petition is disposed of directing the 5th respondent to consider the application filed by the petitioner being Annexure P/1 to the writ petition within one month from the date of communication of this order, in accordance with law.

The decision taken by the authority should be communicated to the petitioner within a week thereof.

Accordingly, WPA 14503 of 2017 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 supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)