

16.09.2022
rc/ct.no.10
Item No.28

WPA No. 15014 of 2022

Mr. Lakshminath Bhattacharjee ...for the petitioners

Mr. Soumitra Bandopadhyay
Mr. Subhasis Bandopadhyay ...for the State

On the prayer of the learned counsel appearing on behalf of the petitioners liberty is granted to deposit deficit courts fees on or before 19.09.2022.

On the prayer of the petitioners the name of The Pradhan, Deulbari Debipur Gram Panchayet, being the 11th respondent herein, be expunged from the cause title of the writ petition. The cause title be amended accordingly.

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

It is contended by the learned counsel appearing on behalf of the petitioners that the plot of land owned and occupied by them was acquired by the State-respondents for the purpose of re-construction of aila affected embankment in the Sundarban area but no compensation was paid to them for the same. The petitioners seek liberty to submit a comprehensive representation before the concerned authority in this regard and pray for a direction upon the authority to consider the said representation at the earliest.

Learned counsel appearing on behalf of the State-respondents submitted a report which is taken on record.

He also submits that the compensation has been paid to the petitioners or their predecessor in interest. However, he could not produce any document in support of his contention. Be that as it may, it is submitted on behalf of the State-respondents that the 4th respondent be directed to consider the said representation in accordance with law.

In view of the above, the writ petition is disposed of with liberty to the petitioners to submit a comprehensive representation ventilating their grievance before the 4th respondent within 7 days from date. The 4th 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 the affected parties including the petitioners, in accordance with law.

The decision taken by the authority shall be communicated to the petitioners 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)

