

WPA 15149 of 2022

Sk. Enamul
Vs.
Union of India & Ors.

Sk. Rejaul Alam,

...for the petitioner.

Mr. Subrata Mukherjee,

...for the respondents.

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

The petitioner claims to be the joint owner in respect of the plot in question along with his brothers. The petitioner complains that the plot in question was acquired by the respondents for construction of railway line under the special project of Deshapran to Nandigram and compensation was paid to the three brothers of the petitioner. The petitioner's proportionate share of compensation was not paid to him by the authority. The petitioner has submitted a representation in this regard before the concerned authority which is yet to be considered. The petitioner prays for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the respondents that the authority has acquired only a portion of the entire land purchased by the petitioner and his brothers and no portion of the petitioner's land has been acquired by the

authority. Therefore, the entitlement to the compensation of the petitioner does not arise.

Be that as it may, as the petitioner intends to place his contention before the authority in support of his claim, this Court is of the view that the representation submitted by the petitioner may be directed to be considered by the authority within a stipulated time frame.

Accordingly, the writ petition is disposed of directing the 1st respondent to consider and dispose of the representation submitted by the petitioner dated 4th April, 2022 within one month from the date of communication of this order after affording reasonable opportunity of hearing to all the interested parties including the petitioner, in accordance with law.

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

It is made clear that this Court has not gone into the merits of the case and the petitioner shall be at liberty to place his contention before the authority at the time of hearing.

With the above directions, WPA 15149 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.)