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11.04.2022
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W.P.A. 14678 of 2019
(Tarun Kanti Mondal vs. State of West Bengal & Ors.)

Mr. Partha Pratim Roy
Mr. Dyutiman Banerjee
.... For the Petitioner

Mr. Susovan Sengupta
Mr. Subir Pal
.... For the State

The grievance of the petitioner is that the plot of land owned and occupied by him was utilised by Irrigation and Waterways Department without the land being acquired. The joint field enquiry report submitted by the respondents demonstrates that the writ petitioner is admittedly the owner of 1/6th share of 0.57 acres of land and 0.095 acres of the petitioner's land has been utilised for construction of embankment by the Irrigation and Waterways Department.

In view of the same, this Court is inclined to hold that as admittedly 0.095 acres of the petitioner's land has been utilised by the Irrigation and Waterways Department without acquiring the same, the respondent Authorities be directed to take necessary steps for

payment of compensation to the petitioner for utilisation of the land in question in accordance with law. Such exercise should be completed within four months from the date of communication of this order within which period the compensation should be handed over to the petitioner in accordance with law.

With the above observations and directions, W.P.A. 14678 of 2019 is disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)