

29
16.08.2022
Ct. No.10
b.das

WPA 16300 of 2022

Bhairab Chandra Das
Vs.
The State of W.B. & Ors.

Mr. U. N. Betal
Mr. B. Chatterjee
Mr. M. Patra
Ms. A. Chakraborty ...for the petitioner.

Mr. Chandi Charan De
Mr. Anirban Sarkar ...for the State.

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

Heard learned counsels for the parties.

It is submitted on behalf of the petitioner that the plot of land owned and occupied by the petitioner was acquired by the State respondents for construction of a road.

Subsequently, a proposal for de-requisition of the said plot was issued by the Superintending Engineer, State Highway Planning Circle and in reply to the said letter, it was informed by the Collector, Burdwan that as the plot in question was not acquired, the question of de-requisition of the same did not arise. However, the petitioner has submitted that a portion of the plot in question has already been utilized.

The petitioner intends to submit a comprehensive representation before the concerned authority ventilating his grievance and prays for a direction upon the concerned authority to consider his representation at the earliest.

It is submitted on behalf of the State respondents that the representation submitted by the petitioner may be directed to be dealt with by the 4th respondent, in accordance with law.

Upon consideration of the submissions made on behalf of the parties, the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation ventilating his grievance before the 4th respondent within a fortnight from date. The 4th respondent is directed to consider and dispose of the representation within a period of one month from the date of receipt thereof after granting reasonable opportunity of hearing to all the interested parties including the petitioner and upon holding a joint inspection of the plot in question, if necessary, 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, the writ petition being WPA 16300 of 2022 is disposed of.

However, there shall 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.)