

August 12, 2022
ARDR
(28)

WPA 16281 of 2022

Delsad Mallick & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Uday Narayan Betal,
Mr. Barun Chatterjee,
...for the petitioners.
Mr. Ashim Kumar Ganguli,
Mr. Subrata Das Gupta,
...for the State.

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

It is submitted on behalf of the petitioners that the land of the petitioners was requisitioned under the Act II L.R. Case No. 50 of 1978-79 for construction of Kotulpur-Sarishadighi-Lawgram-Panna Road and possession of the land was taken in 1981. The process of acquisition was not completed and no compensation was paid to the petitioners. The Act of 1948 lapsed in the meantime.

The petitioners seek liberty to submit a comprehensive representation stating the entire facts before the concerned authority and pray for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the State respondents that the 6th respondent may be directed to consider the

representation submitted by the petitioners 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 in this regard before the 6th respondent within a fortnight from date. The 6th 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 interested 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 directions, WPA 16281 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.)