

14 01.08.2022

gd/ssd

WPA(P)/337/2022

ALIP ROY & ORS.
VS
THE STATE OF WEST BENGAL AND ORS.

Mr. Pratip Kumar Chatterjee,
Mr. Chittapriya Ghosh
..for the Petitioners

Md. T.M. Siddiqui,
Mr. Nilotpal Chatterjee,
Mr. Supratim Dhar
..for the State

The affidavit of service filed by the petitioners is taken on record.

The issue raised by the petitioners is that in Hizole Gram Panchayat, P.O. – Natun Gram, P.S. – Kandi, District – Murshidabad there are several mouzas and in J.L. No.41, Sheet Nos.15, 16, 17 and 18 there are many vesting lands which are in possession and occupation of marginal farmers who are entitled to receive “Patta” and for this purpose a survey was conducted and proposed list of beneficiaries, annexure “P-1” was prepared consisting of total 479 persons but the said list is defective because in that list many of the eligible marginal farmers in occupation and possession have been left out and several others, who are not

eligible, have been included.

At this stage, learned counsel for the petitioners has drawn the attention to this Court to the mass petition dated 17.03.2022 filed before the respondent no.2 i.e. District Magistrate, Murshidabad raising the aforesaid issue and has submitted that a direction be issued to the respondent no.2 to decide the representation.

Learned counsel for the State fairly submits that there is no objection in considering the petitioners' representation within a time bound period.

Hence, we dispose of the present writ petition by directing the respondent no.2 to duly consider the petitioners' grievance in the representation dated 17.03.2022 and take an appropriate decision in accordance with law.

The respondent no.2 will be at liberty to conduct an enquiry if the needs so arise while considering the representation and thereafter take a decision thereupon.

It will be open to the petitioners to file the additional material in support of the plea taken in the representation along with the certified copy of this order.

Let this exercise be completed within a period of two months from the date of receipt of a copy of this

order.

The petition is, accordingly, disposed of.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)

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