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jdt.

22.03.2022
jb.

W.P.A. 17496 of 2021
(Sumanta Jana vs. State of West Bengal & Ors.)

Mr. Sandip Kr. Bhattacharya
Mr. Suman Basu
... For the Petitioner

Mr. C. C. De
Mr. Haripada Maity
... For the State

The petitioner seeks quashing of the notice under Section 10(3) of the West Bengal Highways Act, 1964 issued on 13th February, 2020 on the ground that the plot in question is used as Samadhisthan and Darga and the petitioner has a shop room in the said plot.

In the report submitted by the State respondents it is admitted that the plot in question is a raiyati land and is not included in any notification of acquisition.

In view of the same, the notice under Section 10(3) of the Act of 1964 issued on 13th February, 2020 be set aside/quashed.

However, this order shall not preclude the State respondents from taking necessary steps for acquisition

of the plot or any portion thereof in accordance with law.

W.P.A. 17496 of 2021 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.)