

29.09.2022
rc/ct.no.10
Item No.07

WPA No. 15849 of 2018
with
CAN No. 1 of 2021

Mr. Ayan Banerjee
Mrs. Debasree Dhamani
Mrs. Riya Ghosh ...for the Petitioner

Mr. Pantu Deb Roy
Mr. Pannalal Bhattacharjee ...for the State

By consent of the parties the writ petition is treated as on day's list and taken up for consideration.

It is not in dispute that there are several encroachers in the plot of land to which the petitioners are entitled and the State-respondents have failed to evict the said encroachers or deliver the peaceful vacant possession of the plot to the petitioners till date. The petitioners pray for a direction upon the respondents to pay compensation to them at the present market rate.

Since admittedly the respondents are unable to hand over peaceful vacant possession of the plots in question (as stated in page nos. 126 to 128 of the writ petition) in favour of the petitioners the option left to the State-respondents is payment of compensation to the petitioners at the present market rate.

In view of the above, the District Magistrate, Paschim Medinipur, being the 2nd respondent herein, is directed to take necessary steps for payment of compensation to the petitioners at the present market rate

within three months from the date of communication of this order.

With the above observations and directions this writ petition is disposed of.

There shall be, however, no order as to costs.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)