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31.10.2022
Ct. No.10
b.das

WPA 17437 of 2022

Mita Das
Vs.
The State of W.B. & Ors.

Mr. Achyut Basu
Mr. A. Saha
Ms. P. Basu ...for the petitioner.

Mr. Soumitra Bandyopadhyay
Mr. Subhasis Bandyopadhyay ...for the State.

Mr. Sujay Bandyopadhyay
Mr. J. Das ...for the Municipality.

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

Heard learned counsels for the parties.

The grievance of the petitioner is that the State respondents have acquired the land of the petitioner but no compensation was paid to her for the same.

It is submitted on behalf of the Midnapore Municipality that the plot in question belongs to the municipality. The vendors of the petitioner had no right, title and interest in respect of the plot in question and, therefore, no right, title and interest has been conferred upon the petitioner by virtue of the alleged purchase.

The petitioner intends to submit a comprehensive representation before the concerned authority ventilating

her grievance and prays for a direction upon the concerned authority to consider her representation at the earliest.

It is submitted on behalf of the State respondents that the that the District Magistrate, Paschim Midnapore, being the 5th respondent herein, be directed to consider the representation, 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 her grievance before the 5th respondent within one week from date. The 5th respondent is directed to consider and dispose of the representation within a period of three months from the date of receipt thereof after granting reasonable opportunity of hearing to all the interested parties including the petitioner and the respondents, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner within a week thereof.

With the above observations and directions, the writ petition being WPA 17437 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.)