

August 25, 2022
ARDR
(20)

WPA 18003 of 2022

Kartick Chandra Geyen & ors.
Vs.
State of West Bengal & Ors.

Mr. Partha Pratim Roy,
Mr. Anirban Das,

...for the petitioners.

Mr. Chandi Charan De,
Mr. Somnath Mukherjee,

...for the respondents.

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

It transpires on perusal of the Annexure P/3 to the writ petition and is also submitted on behalf of both the parties that the though the application under Section 18 of the Land Acquisition Act, 1894 was addressed to the Special Land Acquisition Officer, Aila Project, New Treasury Building, Kolkata – 700 027, the application was recommended by the Gangasagar Gram Panchayat who is not the authority to either receive, recommend or consider the said application. The State respondents dispute receipt of such application from the petitioner.

In view of the same, this Court is inclined to hold as the application has not been submitted before the appropriate forum, the writ petition, in its present form and prayer, is not maintainable.

Accordingly, the writ petition being WPA 18003 of 2022 is dismissed on the maintainability issue.

There shall however, be 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.)