

January 28, 2022
ARDR
(23)

WPA 18736 of 2021

Smt. Puspa Mandal
Vs.
The State of West Bengal & Ors.

Mr. Supratick Syamal,
Mr. Dilip Kumar Syamal,
...for the petitioner.
Mr. Susovan Sengupta,
Mr. Amritlal Chatterjee,
...for the State.

It is contended on behalf of the petitioner that the petitioner has been occupying a portion of PWD land since long. A portion of the said land has been acquired by the State authorities for construction of high level bridge on the river of Hatania-Doania and the authority issued notice upon the petitioner's husband on 18th July, 2014 for removal of the construction therein. The petitioner complains that no compensation has been granted to her for such acquisition. The petitioner submitted a representation before the concerned authority ventilating her grievance on 16th March, 2020 which is yet to be disposed of. The petitioner prays for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the State respondents that as the petitioner has been admittedly occupying Government land, the question of

acquisition of the said land or payment of compensation to the petitioner for the same does not arise in absence of any policy of the Government in this regard.

Upon consideration of the submissions made on behalf of the parties, the writ petition is disposed of directing the 3rd respondent to consider and dispose of the representation submitted by the petitioner dated 16th Mach, 2020 within a period of three months from the date of communication of this order after affording reasonable opportunity of hearing to all the interested parties including the petitioner, in accordance with law.

It is made clear that this Court has not gone into the merits of this case and the parties shall be at liberty to raise all issues as contended in the writ petition before the authority at the time of hearing.

WPA 18736 of 2021 is thus disposed of. However, 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.)