

WPA 18991 of 2021

Sayan Panda
Vs.
The State of W.B. & Ors.

Mr. Manoranjan Jana	...for the petitioner.
Mr. Chandi Charan De	
Mr. A. Sarkar	...for the State.
Mr. N. C. Bihani	
Ms. P. B. Bihani	
Mr. S. Ghosh	
Mr. S. Mukherjee	
Ms. K. Singh	...for the DSDA.

Heard learned counsels for the parties.

The grievance of the petitioner is that a portion of the land has been utilized for the purpose of construction of metal road by the 2nd and 3rd respondents, but no compensation has been paid to him for the same.

In an earlier writ petition filed by the petitioner in this Court, a co-ordinate Bench of this Court, by an order dated 19th September, 2018 in WP 18053 (W) of 2018 granted liberty to the petitioner to approach the authority for taking a decision in the matter and the concerned authority was directed to consider the representation submitted by the petitioner before it within a stipulated time frame.

The petitioner submits that pursuant to such order, the Block Development Officer, Ramnagar-I Development

Block considered the issue and by an order dated 11th January, 2019 held that a few links of private property of the petitioner sinks into Sankarpur Road which was reported to be built by the Digha Sankarpur Development Authority.

The petitioner submits that about 1 decimal of land was encroached upon/utilized by the concerned authority and the petitioner should be paid compensation for the same at the present market rate.

It is a fact that the Block Development Officer has observed in his order dated 11th January, 2019 that “Recent measurement held by local BL & LRO office also reflects that a few links of private property of Sri Sayan Panda, Petitioner sinks into Sankarpur Road which was reported to be built by DSDA”. The quantum of land allegedly utilized is not indicated in the same order.

The petitioner seeks liberty to submit a comprehensive representation before the concerned authority in this regard and prays for a direction upon the authority to deal with the same at the earliest.

In view of the same, the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation before the 4th respondent within a fortnight from date. The 4th respondent should consider and dispose of the representation within a period of two months from the date of receipt thereof after affording reasonable

opportunity of hearing to all the interested parties including the petitioner, in accordance with law.

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

With the above observations and directions this writ petition being WPA 18991 of 2021 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.)