

32
31.01.2022
Ct. No.10
b.das

W.P.A. 19049 of 2021

(Via Video Conference)

Samir Kumar Mondal
Vs.
Union of India & Ors.

Mr. Arindam Das ...for the petitioner.

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

Mr. S. Bhattacharya ...for the respondent No.4.

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

Heard learned counsels for the parties.

The grievance of the petitioner is that in the process of acquisition of a portion of the land owned and occupied by the petitioner, the Additional District Magistrate (LA), the 7th respondent herein, has taken possession of a substantial portion of land beyond the portion notified to be acquired.

Learned counsel for the petitioner takes the Court to a letter dated 19th February, 2020 issued by the Special Land Acquisition Officer, Purulia to the Project Director, Project Implementation Unit, NHAI Complex, which indicates that during demolition of structures located on the acquired portion of land for widening of the NH-32,

some portion of the residential house of the petitioner has been demolished beyond the acquired area.

The petitioner submitted a representation before the concerned authority ventilating his grievance, on 4th July, 2021 but such representation is yet to be considered. The petitioner prays for a direction upon the authority to consider the said representation and also hand up a copy of the award to the petitioner at the earliest.

Learned counsel for the State respondents concede to the submission made on behalf of the petitioner.

Upon consideration of the submissions made on behalf of the parties, the writ petition is disposed of directing the 7th respondent to consider and dispose of the representation submitted by the petitioner dated 4th July, 2021, within a period of two months from the date of communication of this order after granting reasonable opportunity of hearing to all the interested parties including the petitioner, in accordance with law. The 7th respondent should also hand up a copy of the award to the petitioner at the time of hearing.

With the above observations and directions this writ petition being WPA 19049 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.)