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03.02.2022
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W.P.A. 19154 of 2021
(Bhuban Mondal vs. State of West Bengal & Ors.)

Mr. Sabyasachi Mukhopadhyay
Ms. Koushikee Banerjee
... For the Petitioner

Mr. Ansar Mondal
Mr. Suprabhat Bhattacharyya
... For the State

Affidavit-of-service filed on behalf of
the petitioner is taken on record.

Report submitted by the State
respondents is taken on record.

The contention of the petitioner, in
brief, is that 3.5 decimals of land in plot
No. 143 owned by the petitioner by virtue of
purchase, was acquired by the State
Authorities by L.A. case No. 47R/70-71.
Subsequently, after lapse of the Act of 1948
a proposal for direct purchase of the land in
question was initiated by the State
Authorities. Learned counsel for the
petitioner takes the Court to Annexure 4 to

the writ petition which demonstrates that pursuant to direct purchase of the property, the owners of plot Nos. 230, 231 and 1569 were granted the money in accordance with the valuation of the land at the relevant time but as the name of the vendor of the petitioner was not recorded in respect of Plot No. 143, payment of Rs.9,23,946/- in connection with the said plot was kept in abeyance. Purchase of the plot by the petitioner was informed to the Authority who directed the petitioner to produce the deed of purchase and other relevant documents before them. The petitioner clarifies that as the petitioner's name has been mutated and recorded in the record of rights, the State Authorities did not find the name of the vendor therein. The money due to the petitioner is lying with the Secretary, Purba Bardhaman Zilla Parishad who issued a letter on 8th November, 2021 in reply to a demand notice issued by the learned counsel for the petitioner in this regard on 30th September, 2021, requesting submission of necessary documents before the Authority. In compliance thereto the petitioner submitted the deed of purchase, record of rights and plot

information before the Authority by a letter dated 10th November, 2021.

The petitioner prays for a direction upon the Authority to disburse the amount due to the petitioner, which is lying with the Authority. The petitioner submitted a representation in this regard before the Authority on 15th November, 2021 which is yet to be disposed of.

It is submitted on behalf of the State respondents that the Authority be directed to verify the documents filed by the petitioner before it prior to disbursement of money in favour of the petitioner.

Upon consideration of the submissions made on behalf of the parties and material on record, the writ petition is disposed of directing the 6th respondent to consider and dispose of the representation submitted by the petitioner dated 15th November, 2021, after taking into consideration the documents submitted by the petitioner before it within a period of one month from the date of communication of this order after giving reasonable opportunity of hearing to the

petitioner, in accordance with law. The order passed by the 6th respondent shall be communicated to the petitioner within a week thereafter.

With the above observations and directions, W.P.A. 19154 of 2021 is disposed of.

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.)