

05.09.2022
rc/ct.no.10
Item No.49

WPA No. 19511 of 2021

Mr. Bhaskar Chandra Manna ...for the petitioners

Mr. Chandi Charan De

Mr. A. Sarkar

...for the State

Affidavit of service filed in Court today is taken on record.

None appears for the railway authority despite service.

The grievance of the petitioners is that their rayati land has been utilised by the railway department for construction of railway line from Deshapran Station to Nandigram but no compensation was granted to the petitioners for the same. The petitioners submitted a representation before the concerned authority ventilating their grievance on February 25, 2021 which was forwarded by the Special Land Acquisition Officer and Land Acquisition Collector, Tamluk, Purba Medinipur to the General Manager, South-Eastern Railway, Garden Reach and Divisional Manager, South-Eastern Railway, Kharagpur Division for taking necessary action. The petitioners complain that no further step has been taken by the railway authority for disposal of the representation or payment of compensation in favour of the petitioners.

Upon consideration of the submission made by the learned counsels appearing on behalf of the petitioners and the State-respondents this Court is inclined to hold that since the representation submitted by the petitioners dated February 25, 2021 has been forwarded to the 2nd and 3rd respondents for taking necessary action, the 2nd and 3rd respondents be directed to consider and dispose of the representation within a stipulated time frame.

In view of the above this writ petition is disposed of directing the 2nd and 3rd respondents to consider the representation of the petitioners dated February 25, 2021 and take necessary steps in terms of the letter issued upon them on July 26, 2021 by the Special Land Acquisition Officer and Land Acquisition Collector, Tamluk, Purba Medinipur within two months from the date of communication of this order after affording reasonable opportunity of hearing to all the interested parties including the petitioners, in accordance with law.

The decision taken by the 2nd and 3rd respondents shall be communicated to the petitioners within a week thereof.

With the above observations and directions this writ petition is disposed of.

There shall be, however, 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)