

27
08.03.2022
Ct. No.10
b.das

W.P.A. 19689 of 2021

(Via Video Conference)

Paramananda Matsyajibi Swanirbhar Dal
Vs.
State of W. B. & Ors.

Gazi Faruque Hossain
Ms. P. Mandal ...for the petitioner.

Mr. C. C. De
Mr. A. Sarkar ...for the State.

Affidavit of service filed on behalf of the petitioners is kept with the record.

Heard learned counsels for the parties.

It is contended on behalf of the petitioner that the petitioner is a co-sharer of the pond in question and the Secretary of the Paramananda Matsyajibi Swanirbhar Dal (hereinafter referred to as Swanirbhar Dal). More than 50% of the said pond is raiyati property and owned by the petitioner and others. By virtue of a lease granted to the Swanirbhar Dal on 16th January, 2012 for a period of four years, the Swanirbhar Dal held pisciculture in the said pond. After expiry of the said lease, the petitioner being one of the co-owners approached the 3rd respondent for

grant of fresh lease in terms of Rule 273 of the West Bengal Land Reforms Manual, 1991.

Such prayer was allowed by the District Magistrate and Collector, Dakshin Dinajpur, Balurghat by a letter dated 6th March, 2019 but the lease rent assessed by the authority is exorbitant, according to the petitioner. The petitioner submitted a representation before the concerned authority for consideration of the lease rent on 27th June, 2019, which is still pending. The petitioner prays for a direction upon the authority to consider his representation leniently and favour the petitioner by reducing the lease rent payable by him.

Having considered the submissions made on behalf of the parties and material on record, the writ petition is disposed of directing the 3rd respondent to consider and dispose of the representation submitted by the petitioner on 27th June, 2019 within a period of one month from the date of communication of this order after giving 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 19689 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.)