

04.11.2022
rc/ct.no.10
Item No.24

WPA No. 19535 of 2022

Mr. Gazi Raruque Hossain
Md. Havigur Rahaman
Mrs. Chandra Paul

...for the petitioners

Mr. Chandi Charan De
Mr. Anirban Sarkar

...for the State

On the prayer of the petitioners liberty is granted to deposit the deficit court fees within one week from date.

It is contended on behalf of the petitioners that they are recorded owners of the plots in question which were utilised by the Government for reconstruction of river embankment in Sundarban area. Subsequently, it was found that about 5 acres of the said land was omitted from the proposal and was not acquired though the said land had been utilised. In a resolution taken in a meeting held on 8th September, 2016 in this regard, it was recorded by the Sub-Divisional Officer, Diamond Harbour, South 24 Parganas that since the said land comprising about 5 acres was not actually requisitioned, the Irrigation Department will submit a proposal for direct purchase of the said land within 15 days from the said date.

It is submitted on behalf of the petitioners that no further step has been taken by the authority in this regard and several communications made by the petitioner to the authority fell on deaf ears.

Learned counsel appearing on behalf of the State-respondents, in his usual fairness, submits that the 5th respondent be directed to take necessary steps in terms of the resolution of the meeting held on 8th September, 2016 (Annexure P2 to the writ petition).

Upon consideration of the submission made on behalf of the parties, this Court is inclined to hold that the 5th respondent be directed to take necessary steps for direct purchase of the plots in question in terms of the resolution dated 8th September, 2016 and initiate proceedings for such direct purchase within one month from the date of communication of this order.

The entire proceeding should be taken to its logical conclusion within six months thereafter.

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)