

14.03.2022
rc/ct.no.10
Item No.03

**WPA No. 18024 of 2019
with
CAN No. 1 of 2021
Abdul Kabir Mallick & Ors.
Versus
The State of West Bengal & Ors.**

Mrs. Rajlakshmi Ghatak ...for the petitioners

Mr. Chandi Charan De
Mr. Anirban Sarkar ...for the State

Re : CAN No. 1 of 2021

This is an application for restoration of the writ petition which was dismissed for default by an order dated July 19, 2021.

Sufficient grounds being made out by the petitioner as to his non-appearance on the relevant date, CAN No. 1 of 2021 is allowed.

Learned counsel appearing on behalf of the State-respondents also raises no objection to this application.

The order dated July 19, 2021 is recalled/set aside.

WPA No. 18024 of 2019 is restored to its file and number.

CAN No. 1 of 2021 is disposed of accordingly.

Re : WPA No. 18024 of 2019

It is submitted by the learned counsel appearing on behalf of the petitioners that the plot of land belonging to the petitioners was acquired by the State-respondents for the purpose of widening Illambazar-Bansankha Road in the district of Birbhum but no compensation was paid to the petitioners for the same. The petitioners submitted a representation before the State authorities in this regard on April 16, 2017 which is yet to be disposed of. The petitioners pray for a direction upon the concerned authority for consideration of the said representation at the earliest.

Having considered the submissions made by the learned counsels appearing on behalf of the parties and the material on record, the writ petition is disposed of directing the 6th respondent to consider and dispose of the representation filed by the petitioners on April 16, 2017 within a period of three months from the date of communication of this order, after affording reasonable opportunity of hearing to all the affected parties including the petitioners, in accordance with law.

With the above observations and directions this writ petition being WPA No. 18024 of 2019 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)