

WPA 20165 of 2022

Asoke Mal & Ors.
Vs.
Union of India & Ors.

Ms. Sima Ghosh
Mr. Sanjoy Patra ...for the petitioners.

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

Ms. Sumita Sarkar ...for the UOI.

Affidavit of service filed on behalf of the petitioners and report submitted on behalf of the State respondents are taken on record.

The petitioners claim to be the legal heirs of the original owner of the property in question, Khukun Malini, and submit that though the plot was acquired for the purpose of construction of Rampurhat to Muraroi third railway line, no compensation was granted to them for the same.

The petitioners responded to several notices issued by the Special land Acquisition Officer, Birbhum for hearing in respect of assessment of compensation, but no further step has been taken by the authority since then.

The petitioners seek liberty to submit a comprehensive representation before the concerned authority ventilating their grievance and pray for a

direction upon the concerned authority to consider the representation at the earliest.

Placing reliance on the report submitted by the Special land Acquisition Officer, Suri, Birbhum, learned counsel for the State respondents submits that though the writ petitioners have prayed before the District Magistrate, Birbhum for disbursement of the award money in their favour as successors of Khukun Malini, one Badirujjaman Sekh has filed a Misc. appeal under Section 54 of the West Bengal Land Reforms Act, 1955 before the appellate authority and the Additional District Magistrate and District Land and Land Reforms Officer, Birbhum, claiming to have purchased the plot in question from the predecessor of the petitioners. The authority is unable to disburse the compensation due to pendency of the said Misc. appeal.

Be that as it may, since the petitioners intend to submit a comprehensive representation before the concerned authority, the writ petition is disposed of with liberty to the petitioners to submit such representation before the 3rd respondent within two weeks from date. The 3rd respondent shall consider and dispose of the said representation within a period of one month from the date of receipt thereof after granting reasonable opportunity of hearing to all the interested parties including the petitioners, in accordance with law. In the event the

petitioners are found entitled to compensation, the same be disbursed to them within a month thereafter.

With the above observations and directions this writ petition being WPA 20165 of 2022 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.)