

WPA 21059 of 2021

Krishna Kinkar Ghosh
Vs.
The State of West Bengal & Ors.

Mr. Sandip Kumar Bhattacharya,
Mr. Suman Basu,
Ms. Dipanwita Pramanik,
...for the petitioner.
Mr. Soumitra Bandyopadhyay,
Mr. Subhasish Bandyopadhyay,
...for the State.

Affidavit of service filed by the petitioner is taken on record.

Report filed by the State respondents is also taken on record.

It is submitted on behalf of the petitioner that the land in plot nos.1137 and 1104 was originally belonged to his father and after his demise the petitioner has inherited the property along with his deceased brother as heirs. The petitioner complains that though the said land has not been acquired by the State respondents and the notification under Section 4 of the West Bengal Land (Requisition and Acquisition) Act, 1948 issued on 11th November, 1963 does not include the plots in question, the authorities are disturbing the possession of the petitioner therein and are trying to dispossess him therefrom.

It appears from the notification under Section 4 of the Act of 1948 (Annexures P/3 and P/4 to the writ

petition) that the plots in question are not included in the said notification.

Placing reliance on the report filed by the Special Land Acquisition Officer, learned counsel for the State respondents submits that the plot nos. 1137 and 1104 have not been acquired and in the event such plot is required for public purpose, necessary proceedings shall be initiated in accordance with law for acquisition of the same.

In view of the above, nothing further remains to be adjudicated in the present writ petition.

As such, the writ petition being WPA 21059 of 2021 is disposed of. There shall however, 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.)