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jdt.

21.02.2022
jb.

W.P.A. 21252 of 2021
(Bimala @ Sujata Mondal & Anr. vs. The Collector, North 24
Parganas Land Acquisition Department & Ors.)

Mr. Manoj Kr. Roy
... For the Petitioners

Mr. Soumitra Bandyopadhyay
Mr. Ramchandra Guchhait
... For the State

The petitioners claim to be the legal heirs of the original owner of the plot in question, Kalicharan Mondal, since deceased. It is submitted on behalf of the petitioners that the said plot was acquired by the State respondents for reconstruction of Aila affected embankment in Sundarbans area and possession of the land including the homestead of the petitioners was taken by the respondents without payment of compensation to them despite the fact that award was declared on 3rd September, 2013. After demise of the original owner, the petitioners being his legal heirs applied before the Authority for payment of compensation. Notice of hearing was served to the petitioners fixing

the hearing date on 25th March, 2013. The petitioners complain that though they attended the said hearing and submitted all relevant documents before the Authority, no further communication has been made to them till date. The petitioners submitted a representation in this regard before the concerned Authority on 10th July, 2017 which has not yet been disposed of. The petitioners pray for a direction upon the Authority to consider the said representation and also make payment of compensation in their favour at the earliest.

Learned counsel for the State respondents submits that the 2nd respondent may be directed to consider the case of the petitioners within a stipulated period of time.

Having considered the submissions made on behalf of the parties, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the representation dated 10th July, 2017 within a period of two months from the date of communication of this order after giving reasonable opportunity of hearing to all the interested parties

including the petitioners, in accordance with law. The 2nd respondent is also directed to consider payment of statutory interest on the compensation amount to the petitioners. The decision taken by the Authority shall be communicated to the petitioners within a week thereof.

With the above observations and directions, W.P.A. 21252 of 2021 is disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)