

13.05.2022
rc/ct.no.10
Item No.72

WPA No. 21382 of 2021
Sumitra Naskar & Ors.
Versus
The State of West Bengal & Ors.

Mr. Mukteswar Maity
Mrs. Manika Sarkar
Mrs. Soma Mal ...for the Petitioners

Mr. Chandi Charan De
Mrs. Reshmi Rahamanfor the State

Mr. Debabrata Banerjee
Mr. Hare Krishna Halder
Mr. Samir Chakrabortyfor the Respondent No.3

The petitioners are recorded owners of the plots in question and submit that though a portion of the plots was acquired by the respondents, six (6) plots where the petitioners have been residing, having not been acquired. The petitioners complain that the 3rd respondent, being the requiring body is trying to utilise the said plots without plots being acquired by the State-respondents. The petitioners have filed a representation (being Annexure P/5 at page 53 of this writ petition) in this regard before the Collector, Land Acquisition, North 24-Parganas which is still pending. The petitioners have prayed for a direction upon the authority to consider the representation at the earliest.

Upon consideration 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 respondent no. 2 to consider and dispose of

the representation (being Annexure P/5 at page 53 of this writ petition) filed by the petitioners within a period of one month from the date of communication of this order, after giving reasonable opportunity of hearing to all the interested parties including the petitioner, in accordance with law.

The decision taken by the authority shall be communicated to the petitioners within a week thereof.

It is made clear that this Court has not gone into the merits of the case and the petitioners shall be at liberty to place their contention as made out in the writ petition before the authority at the time of hearing.

Pending disposal of the representation (being Annexure P/5 at page 53 of this writ petition) by the respondent no. 2, let there be an order of status quo upon both the parties in respect of nature, character and possession of the property in question as on this day.

With the above observations and directions this writ petition being WPA No. 21382 of 2021 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)

