

28.03.2022
rc/ct.no.10
Item No.01

WPA No. 21450 of 2019
Sri Sayantan Ghatak
Versus
The State of West Bengal & Ors.

Mr. N.C.Bihani	
Mrs. Papiya Banerjee Bihani	
Mrs. K. Singh	
Mrs. Anamika Pandey	
Mrs. Amrita Pandey	...for the petitioner
Mr. Chandi Charan De	
Mr. Anirban Sarkar	for the State

By consent of the parties this writ petition is taken up for consideration.

It is contended by the learned counsel appearing on behalf of the petitioner that the petitioner's father was allotted the plot in question by the Government on July 07, 1981 and the said allottee/lessee deposited 50% of the lease premium/ salami in terms of the letter of offer on August 13, 1982. An additional amount claimed by the authority as well as the remaining 50% of the lease premium was due. The petitioner's father being the allottee/lessee submitted several representations before the authority explaining the delay in depositing the said amount and requesting extension of time for payment of the same. The said representation went unheeded and the lease expired in the meantime. The petitioner having stepped into the shoes of his father, also submitted several

representations before the authority which were not considered. Finally it was found that the authority had fixed a board in the property in question stating that the property was government land.

It is submitted on behalf of the petitioner that in view of notifications issued by the Government of West Bengal on July 08, 1988, September 02, 1991 and December 31, 2001, the time period for full payment of the initial salami in terms of the order of allotment of the plot in question was extended for a period of 10 years, 13 years and finally till 25 years respectively. The petitioner seeks liberty to submit a comprehensive representation before the concerned authority annexing all relevant documents and prays for a direction upon the authority to consider the same at the earliest.

It is submitted by the learned counsel appearing on behalf of the State-respondents that such representation be submitted before the 3rd respondent who shall deal with the same.

In view of the above, the writ petition is disposed of granting liberty to the petitioner to submit a comprehensive representation before the 3rd respondent annexing all relevant documents including the notifications referred to as well as the earlier representations submitted by the petitioner and his father within a period of fortnight from date. The 3rd respondent shall deal with the representation and dispose of the same

within a period of two months from the date of receipt thereof 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 petitioner within a period of one week thereafter.

With the above observations and directions this writ petition being WPA No. 21450 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)