

November 14, 2022
ARDR
(43)

WPA 23893 of 2022

Sk. Abdul Mujit & ors.

Vs.

The State of West Bengal & ors.

Adv. M. A. Samad,
Adv. Priyanka Sharma,
Adv. M. Zahedi,

...for the petitioners.

Adv. Chandi Charan De,
Adv. Haripada Maity,

...for the State.

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

The petitioners claim to be the recorded owners of the plots in question and complain that the said plots have been taken possession of by the respondent authorities without taking recourse to law though the names of the petitioners have been recorded in respect of the plots in question in the L.R. record of rights.

Placing reliance a letter issued by the Assistant Engineer, Ghatal Highway Sub-Divison, P.W. (Roads) Directorate to learned counsel for the petitioners on 17th January, 2022, learned counsel for the respondents submits that the entire C.S. plot no. 273 has been acquired by the respondents vide L.A. Case no. 10 of 1995-96 and compensation has been paid to the respective owners who are the predecessors-in-interest of the present writ petitioners. Learned counsel submits that in view of the same, the petitioners have no case.

The petitioners seek liberty to submit a comprehensive representation before the concerned authority ventilating their grievance and pray for a direction upon the authority to consider the representation at the earliest.

In view of the above, the writ petition is disposed of with liberty to the petitioners to submit a comprehensive representation before the concerned authority ventilating their grievance within seven days from date. The concerned authority being the 4th respondent herein, is directed to consider and dispose of the representation within one month from the date of receipt of the same upon affording reasonable opportunity of hearing to all the interested parties including the petitioners, in accordance with law.

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

With the aforesaid directions, WPA 23893 of 2022 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J.)