

WPA 23928 of 2022

Tajmira Khatun
Vs.
The State of W.B. & Ors.

Mr. Saptanshu Basu
Md. Hafiz Ali ...for the petitioner.

Mr. Chandi Charan De
Mr. A. Sarkar ...for the State.

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

Heard learned counsels for the parties.

None appears for the 2nd respondent despite service.

It is contended on behalf of the petitioner that the petitioner's father was granted lease in respect of more or less half portion of the pond in question and the remaining portion is vested with the government.

Upon demise of the petitioner's father, the petitioner applied for probate of the Will left behind by her father and was granted probate on 19th September, 2022. The petitioner having stepped into the shoes of her father applied before the concerned authority for grant of lease in respect of the portion of the pond which was earlier granted in favour of her father in terms of Rule 273 of the West Bengal Land and Land Reforms Manual, 1991.

The petitioner submitted a representation in this regard on 29th September, 2022 which has not been

heeded to. The petitioner prays for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the State respondents that the 4th respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 4th respondent to consider and dispose of the representation submitted by the petitioner on 29th September, 2022 in terms of Rule 273 of the West Bengal Land and Land Reforms Manual, 1991 and upon taking into account the earlier lease granted in favour of the petitioner's father in respect of the said portion of the pond, within one month from the date of communication of this order, upon affording 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 week thereafter.

With the above observations and directions the writ petition being WPA 23928 of 2022 is disposed of.

However, there shall 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.)