

July 04, 2022
ARDR
(6)

WPA 23992 of 2016
CAN 1 of 2017 (Old CAN 4971 of 2017)
(already disposed of)

Bijoy Krishna Mondal
Vs.
The State of West Bengal & Ors.

Mr. Mukteswar Maity,
Ms. Manika Sarkar,
...for the petitioner.
Mr. Debabrata Banerjee,
Mr. Samir Chakraborty,
..for the respondent nos. 4 and 5.
Mr. A. Nath Bhattacharyya,
Ms. Sayani Das,
Ms. Sreetama Biswas,
...for the respondent no.6.
Mr. Subhabrata Datta,
Ms. Deblina Sarkar,
...for the State.

Pursuant to an order passed by a coordinate Bench of this Court on 21st September, 2006 in WP No.21671 (W) of 2016, the L. A. Collector, North 24 Parganas dealt with the representation submitted by the petitioner and passed an order on 4th December, 2006, wherein it is recorded as hereunder:

“Since the right and title of the said shares of the suit plot could not be ascertained by the Collector, the matter was referred to the Ld. L.A. Judge and the amount of compensation (Rs.52,277/- only) was deposited in the Ld. L.A. Court, Barasat vide cheque no.D358689 dated 29.10.2003 under memo No. 3277/LA/NTP dated 13.11.2003.

in this context, there is no scope to make payment of compensation to the petitioner from this office at this stage.

The petitioner may submit his prayer before the Ld. L.A. Court for the relief”.

In view of the same, the petitioner seeks liberty to approach the learned Land Acquisition Judge for disbursal of the amount deposited before the Court way back in 2003.

Upon considering the submissions made on behalf of the parties, the writ petition is disposed of with liberty to the petitioner to approach the learned Land Acquisition Judge, Barasat, North 24 Parganas for disbursement of the compensation deposited in the said Court on production of relevant documents in support of his status in respect of the property in question.

With the above directions, WPA 23992 of 2016 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.)