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jdt.

02.02.2022
jb.

W.P.A. 27577 of 2017
(Md. Wazed Ali Molla vs. State of West Bengal & Ors.)

Mr. Partha Pratim Roy
Mr. Dyutiman Banerjee
... For the Petitioner
Mr. C. C. De
Mr. Anirban Sarkar
... For the State
Mr. Dipankar Das
... For the NHAI

At the outset the petitioner does not press prayers
A and B of the writ petition.

The contention of the petitioner is that 10
decimals of his land have been acquired by the State
Authorities. Another 4 decimals of land is intended to
be acquired by the State Authorities and the petitioner
submits that such land may not be utilised by the State
or taken possession prior to initiation of acquisition
proceedings.

State respondents have submitted a report
clarifying their stand and it is clearly demonstrated in
paragraph 13 of the said report that besides 10

decimals of land already acquired by the respondents, another 4 decimals of land are required to be acquired and fresh acquisition proceedings shall be initiated for the purpose. It is also demonstrated in the report that the respondent Authorities shall not take possession of the said 4 decimals of land without issuance of notice of award upon the petitioner. Further, the State respondents have recorded in the report that with regard to the land already acquired, individual shares have been ascertained through field enquiry by the Land Acquisition Office, Murshidabad and accordingly correction of award for payment of individual shares is under process.

Accordingly the writ petition is disposed of directing the State respondents to take necessary steps for acquisition of the aforesaid 4 decimals of land in question as well as payment of award to the petitioner in respect of the land already acquired as expeditiously as possible.

The writ petition being W.P.A. 27577 of 2017 is disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)