

Sl No. 18
11.03.2022.
Ct No. 2

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction
(Via Video Conference)**

WPA 730 of 2021
Sri Rajendra Prasad Somani & Ors.
-versus
The State of West Bengal & Ors.

Mr. Amalesh Roy
Mr. Deborshi Dhar
... for the petitioners.

Mr. Subir Kumar Saha (AGP)
Ms. Bedashruti Bose
... for the State respondents.

The petitioners allege that their land has been forcefully occupied by the Regulated Market Committee without paying any compensation to them.

Field enquiry was conducted wherefrom it appears that the market complex is there in the plot being LR Plot 1261 (R.S. Plot No. 823), LR 1268 (R.S. Plot No. 826/1234) of Mouza- Bairatiguri, JL-98.

The aforesaid field enquiry was conducted at the instance of the Block Land and Land Reforms Officer (BL & LRO), Dhupguri, Jalpaiguri.

Instruction has been given to the learned advocate of the State respondents by the BL & LRO, Dhupguri, Jalpaiguri on December 22, 2021 disclosing the aforesaid fact.

As it appears that the land in question is under occupation of the Regulated Market Committee and the said fact is also affirmed by the field enquiry report, accordingly, the instant writ petition is disposed of by directing the respondent no. 9 being the Special Land Acquisition Officer, Jalpaiguri to consider the representation which has been filed by the legal representative of the petitioners praying for payment of compensation strictly in accordance with law and more specifically in accordance with the policy which has been adopted by the Government of West Bengal Vide Memo No. 756-LP/IA-03/14(Pt-II) dated February 25, 2016 in the Kolkata Gazette, Extraordinary on March 1, 2016.

The aforesaid respondent shall afford an opportunity of hearing to all the necessary parties including the representative of the petitioners to produce necessary documents in support of their claim.

The said authority shall pass a reasoned order within a period of twelve weeks from the date of communication of this order and communicate the same to the petitioners immediately thereafter.

The writ petition stands disposed of.

Instruction given by the BL & LRO, Dhupguri, Jalpaiguri be retained with the records.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all legal formalities.

Sh

(Amrita Sinha, J.)