

01
30.09.2022
Ct.No.10
b.das

In The Circuit Bench at Jalpaiguri

WPA No. 2821 of 2022

Smt. Mitua Roy Sanyal

Vs.

State of W. B. & Ors.

Mr. Tapas Kr. Bhattacharya
Mr. A. Bhattacharya ...for the petitioner.

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

On prayer of the petitioner, the name of the 8th respondent be expunged from the cause title of the writ petition. The cause title of the writ petition be amended accordingly.

Heard learned counsels for the parties.

The grievance of the petitioner is that the respondent authorities have completed construction of gas pipeline work through his property by dismantling the boundary wall of the land and damaging the trees and other structures in the property.

The petitioner prayed for compensation before the authority for the same and notice of hearing was served upon the petitioner. Though the petitioner submitted relevant documents as called for by the authority, no

further step was taken by the authority for payment of compensation.

The learned counsel for the petitioner submits that after the initial acquisition, more land was acquired by the authority upon survey.

Such contention of the petitioner is disputed by ld. counsel for the respondents.

The petitioner intends to submit a comprehensive representation before the concerned authority ventilating her grievance and prays for a direction upon the concerned authority to consider her representation at the earliest.

It is submitted on behalf of the State respondents that the representation submitted by the petitioner may be directed to be dealt with by the 2nd respondent, in accordance with law.

Upon consideration of the submission made on behalf of the parties, the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation ventilating her grievance before the 2nd respondent within a fortnight from date. The 2nd respondent is directed to consider and dispose of the representation within a period of two months from the date of receipt thereof after granting 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.

It is made clear that this Court has not gone into the merits of the case and the petitioner shall be at liberty to place her contention before the concerned authority at the time of hearing.

With the above directions, the writ petition being W.P.A. 2821 of 2022 is thus 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.)