

WPA 55 of 2023

The National Small Industries Corporation Ltd.
Vs.
The State of W. B. & Ors.

Mr. Bodhisatta Biswas ...for the petitioner.

Ms. Sukla Das Chandra
Sk. Md. Masud ...for the State.

Heard learned counsels for the parties.

It is contended on behalf of the petitioner that upon acquisition of the plots in question by the LA Collector, Howrah for public purpose, possession of the land was transferred in favour of the petitioner. Though the State respondents decided to transfer the land in favour of the petitioner, the deed of conveyance has not been executed till date.

Learned counsel for the petitioner takes this Court to a letter issued by the Special Land Acquisition Officer (G), Howrah to the Deputy Secretary to the Government of West Bengal, Land and Land Reforms Department, LA Branch on 3rd December, 1983 which indicates that the land in question is in possession of the petitioner and the letter requests consideration whether deed of transfer would be executed by the Collector, Howrah or by the Commerce and Industries Department as the requiring body.

It transpires from the documents on record that the petitioner is in possession of the plots in question and the

State respondents agreed to execute the deed of conveyance in favour of the petitioner. Such deed has not been executed till date.

The petitioner seeks to submit a comprehensive representation before the concerned authority annexing all relevant documents, seeking execution of the deed of conveyance and prays for direction upon the concerned 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 submitted by the petitioner, in accordance with law.

In view of the above, the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation annexing relevant documents before the 4th respondent within two weeks from date. The 4th respondent is directed to consider and dispose of the representation within four weeks from the date of receipt thereof upon affording reasonable opportunity of hearing to all concerned including the petitioner, in accordance with law.

In the event the representation is decided in favour of the petitioner, deed of conveyance be executed in favour of the petitioner within a month thereafter.

With the above observations and directions the writ petition being WPA 55 of 2023 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 supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)