

WPA 1488 of 2023

Mrityunjoy Ghosh & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Subhas Chandra Atha

Ms. Payel Paramanik

...for the petitioners.

Affidavit of service filed by the petitioners is taken on record.

None appears for the respondents despite service.

Mr. Chandi Charan De, who usually appears for the State and is present in Court, is requested to represent the State in the matter. His appointment be regularized by the office of the learned Legal Remembrancer.

The petitioners should serve copy of the writ petition alongwith all annexures thereto to Mr. De in course of this day.

Heard learned counsels for the parties.

It is contended on behalf of the petitioners that a notice under Section 3 of the West Bengal Land (Requisition and Acquisition) Act, 1948 was published by the State respondents for requisition of the land of the petitioners for construction of pump house and rest house under the Water Supply Scheme at Jayrambati.

The respondents took possession of the land thereafter, but no compensation was paid to the petitioners for the same.

Pursuant to an application made by the petitioners for payment of compensation, notice of hearing was issued upon the petitioners by the Special Land Acquisition Officer, Bankura on 2nd November, 2021, fixing the date of hearing on 23rd November, 2021 at 12 noon.

The petitioners appeared before the concerned authority on the relevant date and hearing was concluded. But no order has been communicated to the petitioners till date. The petitioners pray for a direction upon the authority to communicate the order to the petitioners and take necessary steps for disbursement of compensation in their favour according to the present market value of the property in question.

It is submitted on behalf of the State respondents that the 4th respondent be directed to consider the representation, in accordance with law.

In view of the above, the writ petition is disposed of directing the 4th respondent to communicate the order passed by him in connection with the application made by the petitioners, within six weeks from the date of communication of this order.

It is expected that the said respondent shall consider the prayer of the petitioners and pass a reasoned and speaking order, in accordance with law.

In the event the petitioners are found entitled to compensation, such compensation shall be disbursed in favour of the petitioners within two months thereafter.

With the above observations and directions this writ petition being WPA 1488 of 2023 is 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.)