

13-10-2023
Item No. 1
Court 8
sg

WP.CT 6 of 2011
Union of India & Anr.
Versus
Suparna Hazra (Goswami) & Ors.
With
WP.CT 310 of 2010
Union of India & Anr.
Versus
Sanjeeb Bhattacharya & Ors.
With
WP.CT 7 of 2011
Union of India & Anr.
Versus
Debahuti Mukherjee & Ors.

Mr. Tarunjyoti Tewari, Adv.

...for the UOI

Mr. Sanjib Bandyopadhyay, Adv.

...for the respondents

1. In spite of our best efforts, we could not secure an affidavit from the Geological Survey of India.
2. Mr. Tarunjyoti Tewari, learned Counsel representing the respondent has produced before us a communication exchanged between the learned Advocate and the Direct (G) & N.O. (Law), Geological Survey of India and also the Legal Cell seeking instruction of our order dated 6th August, 2021.
3. On the earlier occasion, on the prayer of the learned Advocate for the Union of India, we directed the appellant i.e. Geological Survey of India to file a short affidavit stating whether they are willing to give the similar benefits which the Lucknow Bench had granted to persons who are claimed to be similarly placed as that of the respondents in this proceeding within ten days from that date i.e. 6th August, 2021.
4. The matter was adjourned from time to time in order to enable the Geological Survey of India to file an affidavit.
5. In absence of any affidavit, we presume that the Geological Survey of India has no grievance if similar benefits are

extended to the respondents in terms of the order passed by the Lucknow Bench dealing with the matters. In view of the fact that no affidavit has been filed by the appellants and having considered the grievance of the respondents, which appeared to be similar to the matter decided by the Lucknow Bench, we dispose of the writ petitioner by directing the Geological Survey of India to extend the similar benefit to the respondents within eight weeks from the date of communication of this order by either of the parties.

6. The writ petitions are accordingly disposed of. However, there shall be no order as to costs.
7. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Hiranmay Bhattacharyya, J.)

(Soumen Sen, J.)