

25
28.07.2023
Ct. No.10
b.das

WPA 2211 of 2023

Sk. Abdur Rouf

Vs.

The State of West Bengal & Ors.

Sk. Toslim Ali ...for the petitioner.

Mr. Chandi Charan De
Mr. Supratim Dhar ...for the State.

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

Heard learned counsels for the parties.

The petitioner complains that his land has been taken away by the respondent authorities without acquiring the same by due process of law.

Placing reliance on the written instructions submitted by the Special Land Acquisition Officer (General), Howrah, learned counsel for the respondents submits that according to available office records, the land in question has not been acquired and no proposal for acquisition of the said land has been received by the authority and as such, the authority has no responsibility for paying any compensation to the petitioner in respect of the said land.

It appears that the petitioner has submitted a representation before the concerned authority on 27th December, 2022, ventilating his grievance which is yet to

be considered. The petitioner prays for a 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 directing the 4th respondent to consider and dispose of the representation submitted on behalf of the petitioner dated 27th December, 2022 within a period of one month from the date of communication of this order, after granting reasonable opportunity of hearing to all the interested persons including the petitioner, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner within a week thereafter.

In the event the representation is decided in favour of the petitioner, the authority is directed to take necessary consequential steps thereto within one month thereafter.

With the above observations and directions the writ petition being WPA 2211 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.)