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jdt.

23.03.2023
jb.

W.P.A. 2061 of 2018
(Sujit Shaw & Ors. vs. State of West Bengal & Ors.)

Mr. Swapan Kr. Kar

.... For the Petitioners

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

None appears for the respondents despite service.

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

The petitioners are directed to serve copy of the writ petition along with annexure thereto to Mr. De in course of this day.

The petitioners claim to be the owners of the plots in question and submit that though notification under Section 4(1) of the Land Acquisition Act, 1894 was issued upon the petitioners in respect of the said plots on 20th January, 1999 for the purpose of implementation of the scheme for construction of road from Bowli to Putkhali, no subsequent notification under Section 6 of the Act was issued within the stipulated time frame and the acquisition lapsed.

The contention of the petitioners is denied and disputed by the respondents.

The petitioners seek to submit a comprehensive representation before the concerned authority ventilating their

grievances and pray for direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the 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 with liberty to the petitioners to submit a comprehensive representation before the 4th respondent within two weeks from date. The 4th respondent is directed to consider and dispose of the representation within two months from the date of receipt thereof upon affording reasonable opportunity of hearing to all the interested persons including the petitioners, in accordance with law.

The decision taken by the authority shall be communicated to the petitioners within a week thereof.

The writ petition is thus disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)