

09
06.10.2023
Ct. No.10
b.das

WPA 3716 of 2023

Sk. Nur Islam
Vs.
Union of India & Ors.

Mr. Golam Mastafa
Mr. Tarasankar Samanta ...for the petitioner.

Mr. Heymonta Coomer Mitter ...for UOI.

Ms. Sarmistha Ghosh
Mr. Victor Chatterjee ...for respondent no.3.

Heard learned counsels for the parties.

The petitioner claims to be the recorded owner of the plots in question and submits that the 3rd respondent has constructed a concrete surface of an area of 6ft. X 4ft. X 3ft. for which the petitioner is not able to utilize the entire land. Though some amount was paid by the company as compensation, no damage compensation was paid to the petitioner.

The petitioner submitted a representation before the concerned authority on 9th January, 2023 seeking damage compensation, which is yet to be considered.

Learned counsel for the company denies and disputes the contention of the petitioner. Learned counsel for the respondents submits that the 5th respondent be directed to consider the representation, in accordance with law.

In view of the above, the writ petition is disposed of directing the 5th respondent to consider and dispose of the representation submitted by the petitioner dated 9th January, 2023 within a period of two months from the date of communication of this order upon affording reasonable opportunity of hearing to all concerned including the petitioner, in accordance with law.

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

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.)