

28.02.2023
rc/ct.no.10
Item No.43

WPA No.4079 of 2023

Mr. Uday Sankar Chattopadhyay
Mr. Suman Sankar Chatterjee
Mrs. Rajashree Tah
Mrs. Trisha Rakshit ...for the Petitioners

Mr. Chandi Charan De
Mr. Ashok Sarkar for the State

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

None appears on behalf of the 9th and 12th respondents despite service.

Heard learned counsels appearing on behalf of the parties.

The grievance of the petitioners is that the State-respondents have taken forcible possession of a portion of their land being R.S. Plot No. 326, Mouza – Narandia, J.L.No. 198, L.R.Khatian No. 1226 and 408/1, District – Purba Medinipur and have been raising construction therein in the garb of setting up the project of Gatidhara without acquiring the land in due process of law.

It is submitted on behalf of the petitioners that a portion of their land was taken by the Government earlier for the Sajaldhara Project in 2006. The

petitioners submitted a representation ventilating their grievance before the concerned authority on 1st February, 2023 which is yet to be considered. The petitioners pray for a direction upon the authority to consider the representation dated 1st February, 2023 at the earliest and not to make any further construction in the land in question till the representation is disposed of.

It is submitted on behalf of the State respondents that the Sub-Divisional Officer, Contai Sub-Division being the 6th respondent herein be directed to consider the representation of the petitioner in accordance with law.

In view of the above, the writ petition is disposed of directing the 6th respondent to consider and dispose of the representation filed by the petitioners on 1st February, 2023 within a period of one month from the date of communication of this order, upon affording reasonable opportunity of hearing to all the interested persons including the petitioners, in accordance with law.

Pending disposal of the representation dated 1st February, 2023 of the petitioners no further construction/ encroachment shall be made in any portion of the land of the petitioners by the State respondents.

With the above observations and directions this writ petition is disposed of.

There shall be, however, 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)