

12.05.2023
rc/ct.no.10
Item No.10

WPA No. 4090 of 2023
Aratirani Ghosh
Versus
The State of West Bengal & Ors.

Mr. Rabiul Islam
Mr. Raju Mondal ...for the petitioner

Mr. Soumitra Bandyopadhyay
Mr. S. Bandyopadhyay ...for the State

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

None appears for the National Highway Authority of India despite service.

It is contended on behalf of the petitioner that the plots in question originally belonged to the father of the petitioner and upon his demise, the petitioner along with her sister and three brothers have inherited the same jointly. The plots have been acquired subsequently. Since the name of the petitioner was not recorded in the record of rights inadvertently, no compensation has been paid to the petitioner in lieu of acquisition of the land and notice of compensation has been issued upon other co-sharers only. The petitioner seeks to submit a comprehensive representation in this regard before the concerned authority and prays for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the State-respondents that the 2nd respondent be directed to consider and dispose of the representation in accordance with law.

In view of the above, the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation before the 2nd respondent ventilating her grievance within seven days from date. The 2nd respondent is directed to consider and dispose of the representation within two months from the date of receipt thereof after affording reasonable opportunity of hearing to all interested persons including the petitioner, in accordance with law.

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

Pending disposal of the representation the concerned authority, being the 2nd respondent herein, is restrained from disbursing any compensation in favour of any person in respect of the plot nos. 272 and 749 under Mouza – Podua, Police Station –Chandrakona measuring about 1.28 acres and .08 acres respectively.

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)