

March 23, 2023
ARDR

WPA 3193 of 2020

Suvendu Bikash Mondal @ Suvendu Mondal
Vs.
The State of West Bengal & Ors.

Adv. Tulsi Das Ray,
Adv. Thirthankar Ray,
Adv. Alina Modnal,

...for the petitioner.

Adv. Chandi Charan De,
Adv. Srilekha Bhattacharyya,

...for the State.

Heard learned counsels for the parties.

It is not in dispute that the land of the petitioner has been utilised for construction of embankment at Gosaba at the instance of the Sub-Divisional Officer (Irrigation), Gosaba, 24 Parganas (South), being the 4th respondent herein. The land was admittedly not acquired as appears from various communications made by and between the respondents and no compensation was paid to the petitioner for the same. The petitioner seeks to submit a representation before the concerned authority in this regard and prays for a direction upon the 4th respondent to consider the said representation at the earliest.

Upon consideration of the submission made on behalf of the parties, the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation before the 4th respondent within ten days from date. The 4th respondent is directed to consider and dispose of the representation within one month from the

date of receipt thereof upon affording reasonable opportunity of hearing to all the interested persons including the petitioner, in accordance with law.

Since the land belonging to the petitioner has admittedly been utilised, the 4th respondent is further directed to take necessary steps for payment of compensation to the petitioner including sending proposal for acquisition of the land to the concerned authority.

In the event the petitioner is found entitled to compensation, such compensation be disbursed in favour of the petitioner within a month thereafter.

With the above directions, WPA 3193 of 2020 is thus disposed of.

There shall however, be no order as to costs.

Since no affidavit in opposition 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 on usual undertakings.

(Suvra Ghosh, J.)