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jdt.

05.04.2023
jb.

W.P.A. 3281 of 2019
Madan Biswas @ Madan Mohan Biswas & Ors.
vs.
State of West Bengal & Ors.

Mr. Sourav Sen
Mr. Swapaan Kr. Kar
.... For the Petitioners

Mr. Ram Chandra Guchhait
.... For the State

Heard learned counsels for the parties.

It is contended on behalf of the petitioners that a portion of their land was taken away by the Irrigation and Waterways Department of the Government of West Bengal for construction of Tarapur embankment, but no compensation was paid to the petitioners for the same. The petitioners submitted a representation in this regard before the concerned authority on 11th January, 2019 which is yet to be considered. The petitioners pray for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the respondents that the land of the petitioners has not been acquired or utilised by the Government for construction of embankment.

Be that as it may, since the representation submitted by the petitioners is pending, this Court is

inclined to hold that the concerned authority being the 5th respondent be directed to consider the representation, in accordance with law.

The writ petition is accordingly disposed of directing the 5th respondent to consider and dispose of the representation submitted by the petitioners dated 11th January, 2019 within two months 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. In the event the petitioners are found entitled to compensation, such compensation be paid to the petitioners within a month thereafter.

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.)