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jdt.

27.07.2023
jb.

W.P.A. 3546 of 2020
(Srikanta Ghosh vs. Union of India & Ors.)

Mr. Manas Kr. Ghosh
Ms. Susmita Dey (Basu)
.... For the Petitioner

Mr. Chandi Charan De
Mr. Anirban Sarkar
.... For the State

Heard learned counsels for the parties.

It is not in dispute that the land of the petitioner was acquired by the respondent Nos. 1 to 5 upon issuance of a notification on 2nd June, 2011 for setting up the Dankuni-Furfura Sharif new broad gauge line. It is further admitted that the project was not implemented since 2013. No compensation was paid to the petitioner or job offered under the land loser's category by the Railways in terms of the assurance given by them. Physical possession of the land has been taken over by the Railways following acquisition. Several representations submitted by the petitioner claiming compensation as well as benefit under the land loser's category have fallen on deaf ears. The petitioner seeks to submit comprehensive representation before the concerned authority ventilating his grievances and prays for direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the respondents that the 4th respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of with liberty to the petitioner to submit comprehensive representation before the 4th respondent within three weeks from date. The 4th respondent is directed to consider and dispose of the representation within two months from the date of receipt thereof upon affording reasonable of opportunity of hearing to all the 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.

In the event the decision is taken in favour of the petitioner, the concerned authority is directed to take necessary consequential steps within a month thereafter.

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.)