

WPA 4459 of 2022

Samaresh Bhattacharya
Vs.
The State of West Bengal & Ors.

Adv. D. K. Samanta
Adv. Biswapriya Samanta,
...for the petitioner.
Adv. Chandi Charan De,
Adv. Debasis Chattopadhyay,
...for the State.

Affidavit of service and supplementary affidavit submitted on behalf of the petitioner are taken on record.

The petitioner complains that a portion of his cultivable land has been utilised by the State respondents for construction of a bridge but the land has neither been acquired, nor any compensation paid for the same. The petitioner submitted an application/objection before the District Magistrate, Purba Burdwan in this regard on 16th December, 2019 which was forwarded to the Executive Engineer, PWD (Roads), Asansol Highway Division, Paschim Burdwan by the Additional District Magistrate and District Land & Land Reforms Officer, Purba Burdwan by a letter dated 5th January, 2021 for taking further course of action.

It is submitted on behalf of the petitioner that no further step has been taken by the respondents for acquisition of the land or payment of compensation in favour of the petitioner. The petitioner submitted a further

objection before the District Magistrate, Purba Burdwan in this regard on 21st March, 2022 which has also not been considered. The petitioner prays for a direction upon the District Magistrate, Purba Burdwan to consider the representation/objection submitted by the petitioner and take necessary steps for payment of adequate compensation in his favour.

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

In view of the above, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the representation submitted by the petitioner dated 21st March, 2022 within six weeks from the date of communication of this order upon affording reasonable 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.

With the aforesaid observations and directions, WPA 4459 of 2022 is disposed of.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

There shall however, be no order as to costs.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J.)