

21.04.2023
rc/ct.no.10
Item No.18

WPA No. 4709 of 2023
Sri Chandan Palodhi
Versus
The State of West Bengal & Ors.

Mr. Chittapriya Ghosh
Mr. Samir Kumar Adhikary ...for the petitioner

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

Affidavit of service filed in Court today is taken on record.

The petitioner claims to be recorded owner of the plot in question and submits that a portion of the said plot is being utilised by the State-respondents under the West Bengal Drinking Water Sector Improvement Project without the land being acquired by due process of law or any compensation paid to the petitioner. The petitioner submitted a representation in this regard before the concerned authority on December 13, 2022 which is yet to be considered.

The petitioner prays for a direction upon the concerned authority to consider the said representation at the earliest in accordance with law.

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

In view of the above, the writ petition is disposed of directing the 4th respondent to consider and dispose of the said representation submitted by the petitioner on 13th December, 2022 within a period of one month from the date of communication of this order upon affording reasonable opportunity of hearing to all the stakeholders including the petitioner, in accordance with law.

The concerned authority may make necessary arrangement for demarcation of the plot in question and ascertain the portion of land utilised by the authority without acquisition.

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

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)