

March 15, 2023
ARDR

WPA 5055 of 2023

Ramkinkar Dutta & anr.
Vs.
The State of West Bengal & Ors.

Adv. Panchanan Hajra,
...for the Petitioners.
Adv. Soumitra Bandyopadhyay
Adv. Priyabrata Batabyal,
...for the State.

Affidavit of service filed on behalf of the petitioners is taken on record.

The petitioners complain that their land was requisitioned according to the West Bengal Land (Requisition and Acquisition) Act, 1948 (hereinafter referred to as the “said Act of 1948”) but the land was not acquired subsequently. In the meantime the said Act of 1948 stood repealed with effect from March 31, 1997.

The petitioners filed a representation before the 4th respondent on 15th December, 2022 for release of their land and payment of compensation but the said representation has not been considered till date. The petitioners pray for consideration of the said representation by the concerned authority.

Having considered the submissions made by the learned counsels appearing on behalf of the parties and the material on record, I dispose of the writ petition with a direction upon the 4th respondent to consider and dispose of the representation filed by the petitioners on 15th

December, 2022 within a period of three months from the date of communication of this order, after giving reasonable opportunity of hearing to all the affected parties including the petitioners, in accordance with law.

In the event the representation is decided in favour of the petitioners, necessary consequential steps be taken by the 4th respondent within a month thereafter.

With the above observations and directions this writ petition being WPA 5055 of 2023 is disposed of.

There shall be, however, 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)