

25.08.2023
rc/ct.no.10
Item No.23

WPA No. 5631 of 2023
Smt. Gouri Guha & Ors.
Versus
State of West Bengal & Ors.

Mr. Dilip Kumar Samanta ...for the petitioner

Mr. Soumitra Bandyopadhyay
Mr. Priyabrata Batabyal for the State

Mr. Satyajit Talukdar
Mrs. Piu Karmakar for the KMDA

Affidavit of service filed by the petitioner is taken on record.

On the prayer of the petitioners liberty is granted to implead the Special Land Acquisition Collector, South 24-Parganas as respondent no. 6 in the writ petition. The cause title of the writ petition be amended accordingly.

The petitioners claim to be recorded owner of the plot in question and submits that though the plot was acquired by the State-respondents, no compensation has been paid to the petitioners till date. The petitioners seek to submit a comprehensive representation before the concerned authority in this regard and pray for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the Kolkata Metropolitan Development Authority that the entire land was acquired by the respondents in the year 1968-69 vide L.A.Case No. 4/6 of 1968-69.

It is submitted on behalf of the State-respondents that the 6th respondent be directed to consider the representation in accordance with law.

Be that as it may, since the petitioners seek to submit a representation before the concerned authority, the writ petition is disposed of with liberty to the petitioners to submit a comprehensive representation before the 6th respondent within 15 days from date. The 6th respondent is directed to consider and dispose of the representation within two months from the date of receipt thereof 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 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)