

06.10.2023
Ct. 654
D/L 5
ab

WPA 6007 of 2023

Moslem Laskar

-Vs-

State of West Bengal & Ors.

Mr. Jahar Lal Dey

... for the petitioner

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

This writ petition has been filed under Article 226 of the Constitution of India for rectification of award passed in L. A. Case No. 4/23 of 2012-13.

The brief fact of the case is that the petitioner is the recorded owner of plot No. 712, Mouza- Maipith. P.S. Kultali. However, the award under Section 11, Act I of 1894 read with Section 24(1) of Act 30 of 2013 has been passed in the name of the son of the petitioner. Hence this writ petition.

Mr. Jahar Lal Dey, learned advocate for the petitioner submits that though the petitioner is the recorded owner but award has been wrongly passed in favour of his son, which needs to be corrected/rectified.

In spite of notice, none appears on behalf of the State.

Mr. Chandi Charan De, learned Additional Government Pleader, who usually appears for the State is requested to appear in this matter for the State.

Let the appointment of Mr. Chandi Charan De, learned Additional Government Pleader be regularized by the concerned authority.

Mr. Chandi Charan De, learned Additional Government Pleader appearing for the State submits that the petitioner has not made any representation before the concerned authority for rectification of the award. He submits that such representation be made by the petitioner which shall thereafter be considered by the Special Land Acquisition Officer, South 24 Parganas (respondent no. 2).

Admittedly, though letter for demand of justice has been submitted by learned advocate for the petitioner on 13.01.2023 but the petitioner himself has not made any representation for rectification of the award before the concerned authority namely, Special Land Acquisition Officer, South 24 Parganas (respondent no. 2).

Liberty is granted to the petitioner to submit representation for rectification of the award before the concerned authority, i.e. the respondent no. 2, Special Land Acquisition Officer, South 24 Parganas within a period of three weeks from date.

In the event, such representation is made by the petitioner, the concerned authority namely, Special Land Acquisition Officer, South 24 Parganas (respondent no. 2) shall consider such representation and dispose of the same by passing a reasoned order within a period of two months from the date of communication of this order and shall communicate the same to the petitioner within a week thereafter.

With the aforesaid observations, the writ petition being **WPA 6007 of 2023** stands disposed of.

Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary legal formalities.

(**Bivas Pattanayak, J.**)