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jdt.

04.07.2023
jb.

W.P.A. 5866 of 2022
(Byasdev Singha Roy vs. State of West Bengal & Ors.)

Ziaul Haque
Mr. Himadri Kr. Mahato
.... For the Petitioner
Mr. Lalit Mohan Mahato
Mr. Supratim Dhar
.... For the State

Heard learned counsels for the parties.

The father of the petitioner was the absolute owner and occupier of the plot in question which was acquired by the respondents vide L.A. case No. 259 II(II)(11) of 1976-77. A notice under Section 12(2) of the Land Acquisition Act, 1894 was issued upon the owner on 23rd July, 2008 and the owner received compensation under protest on 25th July, 2008. The owner/petitioner's father made an application under Section 18 of the Act of 1894 on 29th July, 2008 before the concerned authority for referring the matter before the appropriate civil Court which is yet to be considered. The petitioner, through his learned advocate, submitted a representation before the concerned authority on 21st February, 2022 in this regard which is also pending before the authority. The

petitioner prays for a direction upon the authority to consider the representation at the earliest.

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

In view of the above, the writ petition is disposed of directing the third respondent to consider and dispose of the representation submitted on behalf of the petitioner dated 21st February, 2022 within one month from the date of communication of this order upon affording reasonable opportunity of hearing to the petitioner, in accordance with law.

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

The writ petition is thus disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)