

24.04.2023
rc/ct.no.10
Item No.12

WPA No. 6341 of 2023
Md. Matiur Rahaman Khan
Versus
The State of West Bengal & Ors.

Mr. Partha Pratim Roy	
Mr. Dyutiman Banerjee	...for the petitioner
Mr. Supratim Dhar	...for the State

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

The petitioner claims to be recorded the owner of the plot in question and submits that though a declaration under Section 6 of the Land Acquisition Act, 1894 (hereinafter referred to as “the Act of 1894”) was made by the State Government on 24th October, 2013 for utilisation of the land for reconstruction of Aila affected embankment in Sundarban area, no compensation has been granted to the petitioner till date. The land has been utilised. The petitioner submitted a representation in this regard before the concerned authority on 9th February, 2023 which is yet to be considered. The petitioner prays for a direction upon the concerned authority to consider the said representation at the earliest.

It is submitted on behalf of the State-respondents that 3rd respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 3rd respondent to consider and dispose of the said representation submitted by the petitioner on 9th February, 2023 within a period of one month from the date of communication of this order 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 thereafter.

In the event the petitioner is found entitled to compensation, such compensation shall be disbursed in favour of the petitioner within two months 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)