

Item No.304

In the High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side

31.08.2023
Ct-24

WPA 7021 of 2022
Pampa Jana

v.

The State of West Bengal & Ors.

Mr. Tushar Sinha Mahapatra
... for the petitioner.

Mr. Jahar Datta
Mr. Bipin Ghosh
... for the State.

Mr. Sujay Bandyopadhyay
Mr. Shambhu Mahato
Mr. Prasipta Siddhanta
... for the Municipality.

Exception filed by the petitioner to the report of the Special Land Acquisition Officer is taken on record.

The petitioner contends that measurement of land has not been taken in a proper manner by the said officer. Submission of the petitioner is that over and above the land which has been acquired by the State, some portion of the land of the petitioner is still available at the subject plot. The Municipality has demolished the construction which was standing over the private land of the petitioner.

From the various affidavits that have been filed by the parties, it appears that there are several disputed question of facts which cannot be resolved by the writ Court.

The petitioner is dissatisfied with the measurement made by the Land Acquisition Officer.

Some amount of evidence is required to be taken for ascertaining whether the measurements placed before this Court are correct or not.

In view of the above, leave is granted to the petitioner to approach the competent Civil Court for appropriate remedy.

No further relief can be granted to the petitioner in the instance case.

The writ petition stands disposed of.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

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(Amrita Sinha, J.)