

W.P.A. 6390 of 2018

**Ratan Mondal & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Bipul Kr. Mondal
...for the petitioner

The writ petition is taken up for consideration when it is found that in spite of adequate opportunity given to the writ petitioners to file exception to the report filed on behalf of Murshidabad Zilla Parishad dated 11th May, 2023 no such exception is filed by the petitioners till date. Accommodation has been prayed for on behalf of the petitioners in order to file exception but such prayer is refused.

However, on perusal of the report of Murshidabad Zilla Parishad dated 11th May, 2023 it appears while constructing the road in question 0.0526 acre of land of Ratan Mondal being petitioner no. 1 and 0.01 acre of land of Tenu Mondal, petitioner no. 2, have been encroached by the Zilla Parishad.

Since it has been admitted by the Secretary, Murshidabad Zilla Parishad as it emanates from the report dated 11th May, 2023 that certain portions of land of the petitioner no. 1 and petitioner no. 2 have been encroached while constructing the road based on report of Revenue Inspector, Bahadurpur Gram Panchayat which is forwarded by BL & LRO, Murshidabad-Jiaganj

Block the concerned authority of Murshidabad Zilla Parishad is required to pay compensation for aforesaid encroachment of the land of the petitioner no. 1 and petitioner no. 2, if the lands described in the said report have been encroached without due process of law.

The concerned authority of Murshidabad Zilla Parishad is directed to take necessary steps for payment of compensation to the petitioner nos. 1 and 2 upon arriving at finding with regard to quantum of such compensation. The concerned authority of Murshidabad Zilla Parishad is directed to take decision on payment of such compensation within a period of 8 (eight) weeks from the date of communication of this order after granting opportunity of hearing to the petitioner nos. 1 and 2 or their representative and the decision to be taken by the concerned authority of Murshidabad Zilla Parishad shall be communicated to the petitioners within 1 (one) week thereafter.

With the aforesaid directions, the writ petition stands disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)