

WPA 7082 of 2019

Arsed Molya @ Arshed Molla @Arshad Molla @ Arshad Ali
Mollah @ Arshad Mollah

Vs.

The State of West Bengal & Ors.

Mr. Rabi Sankar Chattopadhyay

Mr. Kaustav Sen ...for the petitioner.

Mr. Ayan Banerjee ...for the State.

Heard learned counsels for the parties.

The petitioner claims to be the recorded owner of the plot in question by virtue of purchase and submits that though the plot was acquired by the State respondents, no compensation has been granted to the petitioner in lieu of the same.

The petitioner submitted a representation before the concerned authority on 10th October, 2018, which is yet to be considered. The petitioner prays for a direction upon the concerned authority to consider the representation at the earliest.

It is submitted by the parties that similar representation was also submitted by the private respondent before the concerned authority and in a writ petition filed by the private respondent before this Court being WP 33177 (W) of 2014, a co-ordinate Bench of this Court directed the District Magistrate and Land Acquisition Collector, South 24 Parganas to determine the

compensation for the plots of land belonging to the private respondent and other co-sharers in terms of the relevant statute by a reasoned order within a stipulated time frame.

It is submitted on behalf of the State respondents that the 2nd respondent be directed to consider the representation submitted by the petitioner, in accordance with law.

In view of the above, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the representation submitted by the petitioner dated 10th October, 2018 within a period of two months from the date of communication of this order, after granting reasonable opportunity of hearing to all the interested persons including the petitioner and the private respondent, in accordance with law.

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

With the above observations and directions this writ petition being WPA 7082 of 2019 is disposed of.

However, there shall be 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 supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)