

March 17, 2023
ARDR

WPA 8607 of 2019

Ashok Kumar Guchait
Vs.
The State of West Bengal & Ors.

Adv. Subhojit Saha,

...for the petitioner.

Adv. Chandi Charan De,
Adv. Srilekha Bhattacharyya,

...for the State.

On prayer of the petitioner, liberty is granted to implead the Special Land Acquisition Officer, District Hooghly as respondent no.7 to the writ petition.

The cause title of the writ petition be amended accordingly.

A joint field enquiry report submitted on behalf of the State respondents is taken on record.

The State respondents have recorded in the report that upon field enquiry, it has been found that the plot in question was owned by the petitioner and has been acquired by the PWD Hooghly for construction of Kamarkundu Railway Over Bridge. It is also recorded that the possession of the plot has been taken over by the authority.

In view of the above, the petitioner is entitled to compensation. The petitioner seeks to submit a representation in this regard before the concerned authority and prays for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the State respondents that the 7th respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation before the 7th respondent within seven days from date. The 7th respondent is directed to consider and dispose of the representation within two months from the date of receipt thereof upon giving reasonable opportunity of hearing to all the interested parties including the petitioner, in accordance with law.

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

With the above observations and directions, the writ petition being WPA 8607 of 2019 is disposed of.

There shall however, be no order as to costs.

Since no affidavit in opposition 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 on usual undertakings.

(Suvra Ghosh,J)