

30.08.2023
rc/ct.no.10
Item No.23

WPA No. 9826 of 2023
Smt. Debjani Mondal
Versus
The State of West Bengal & Ors.

Mr. Debayan Bera
Mr. Sakti Prasad Chakrabarti...for the petitioner

Mr. Chandi Charan De ...for the State

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

None appears on behalf of the State-respondents despite service.

Mr. Chandi Charan De, learned advocate, who usually appears on behalf of the State-respondents and is present in Court today, is requested to represent the State-respondents in this matter. The office of the learned Legal Remembrancer is requested to regularise the service of Mr. De in this matter.

The petitioner is directed to serve a copy of this application along with annexures thereto upon Mr. De in course of this day.

Being aggrieved by the award determined by the learned Land Acquisition Tribunal, the petitioner filed an application under Section 28A of the Land Acquisition Act, 1894 on May 06, 2014 seeking re-determination of the award, which is yet to be considered.

The petitioner prays for direction upon the authority to consider the application at the earliest.

It is submitted on behalf of the State-respondents that the 3rd respondent be directed to consider the application, 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 application submitted by the petitioner on May 06, 2014 within two months 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 thereof.

With the above observation and direction 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)