

WPA 11802 of 2023

Tulsi Mukherjee & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Falguni Bandyopadhyay ...for the petitioners.

Mr. Chandi Charan De

Mr. A. Sarkar ...for the State.

Affidavit of service filed by the petitioners is taken on record.

None appears for the 2nd respondent despite service.

Heard learned counsels for the parties.

The petitioners claim to be the recorded owners of the plot in question and submit that though 81.5 decimals out of entire 1.44 acres of land in the said plot was acquired by the respondents, compensation has been paid only in respect of 26.50 decimals and the petitioners are still entitled to compensation for the remaining portion of the land. Also though plot no.1057 which is a pond has been acquired by the respondents and compensation has been assessed for the fish which was reared in the said pond, such compensation has not been paid. The petitioners are also entitled to compensation for the trees standing on the acquired land.

The petitioners submitted a representation in this regard before the concerned authority on 4th March, 2023, which is yet to be considered. The petitioners pray for a

direction upon the concerned authority to consider the representation at the earliest.

It is submitted on behalf of the State respondents that the 4th respondent be directed to consider the representation, in accordance with law.

In view of the above, the writ petition is disposed of directing the 4th respondent to consider and dispose of the representation submitted by the petitioners dated 4th March, 2023, within a period of two months from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioners, in accordance with law.

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

In the event the petitioners are found entitled to compensation, such compensation shall be disbursed in their favour within two months thereafter.

With the above observations and directions this writ petition being WPA 11802 of 2023 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.)