

June 07, 2023
(25) ARDR

WPA 12600 of 2023

Abir Lal Sawary
Vs.
The State of West Bengal & ors.

Adv. Saibal Kumar Acharyya,
Adv. Pradip Paul,
Adv. Renesa Dey,

...for the petitioner.

Adv. Partha Pratim Roy,
Adv. Ramchandra Guchait,

...for the State.

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

It is contended on behalf of the petitioner that the land of the petitioner was utilised by the respondents for constructing Indo-Bangladesh Border road in the district of Murshidabad and compensation was paid to the father of the petitioner on 14th October, 1998. Since the petitioner has been uprooted from his place of residence due to such utilisation, he applied before the concerned authority on 27th August, 2018 for recording his name in the exempted category as a land loser. The said application is yet to be considered. The petitioner prays for a direction upon the authority to consider the application at the earliest.

It is submitted on behalf of the respondents that the 3rd respondent be directed to consider the application of the petitioner subject to the petitioner producing all relevant documents in support of his claim.

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 dated 27th August, 2018 within one month from the date of communication of this order upon affording reasonable opportunity of hearing to the petitioner and upon consideration of the documents to be submitted by the petitioner in support of his claim, in accordance with law.

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

With the aforesaid directions, WPA 12600 of 2023 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.)