

June 26, 2023
(25) ARDR

WPA 12753 of 2023

Anju Bhattacharjee
Vs.
The State of West Bengal & ors.

Adv. Lal Ratan Mondal,
Adv. Probal Sarkar,
Adv. Sk. Kiran,

...for the petitioner.

Adv. Chandi Charan De,
Adv. Anirban Sarkar,

...for the State.

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

On prayer of the petitioner liberty is granted to file a supplementary affidavit disclosing necessary facts therein.

The petitioner has sought to amend the writ petition to the extent that the petitioner is in possession of one acre of land in Dag no.871, Khatian No. 285, Mouza Kiriteswari, P.S. Nabagram, District Murshidabad instead of one decimal recorded in the writ petition. Such amendment is sought in the supplementary affidavit filed by the petitioner.

The petitioner's prayer is allowed. Necessary corrections be incorporated in the writ petition.

The petitioner complains that though the respondents are raising construction in the plot in question, she is not aware as to whether the said plot has been acquired at all. No compensation has been received by the petitioner for the same. The petitioner seeks to submit a comprehensive representation before the concerned

authority in this regard and prays for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the 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 with liberty to the petitioner to submit a comprehensive representation before the 4th respondent within one week from date. The 4th respondent is directed to consider and dispose of the representation within six weeks from the date of receipt thereof 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 petitioners within a week thereof.

It is made clear that this Court has not gone into the merits of the case and the concerned authority shall be at liberty to deal with the representation submitted by the petitioner independently and without being influenced by any observation which may have been made in this order.

With the aforesaid directions, WPA 12753 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.)