

08.12.2023
rc/ct.no.10
Item No.09

WPA No. 13652 of 2023
Bibekananda Biswas & Ors.
Versus
The State of West Bengal & Ors.

Mr. Sandip De
Mr. Abhijit Sarkar ...for the petitioners

Mr. Chandi Charan De
Mr. Soumitra Bandyopadhyay
Mr. Priyabrata Batabyal
Mr. Anirban Sarkar ...for the State

Mr. Asim Hati
Ms. Nandini Sharma
Ms. Barnali Deb ...for the respondent no.6

Affidavit of service filed in Court is taken on record.

On the prayer of the petitioners liberty is granted to implead the Executive Officer, Zilla Parishad, North 24-Parganas as respondent no. 9 in the writ petition.

The cause title of the writ petition be amended accordingly.

The petitioners complain that their land has been utilised by the Zilla Parishad without acquiring the same by due process of law. No compensation has also been paid to the petitioners.

Learned counsel for the petitioners takes this Court to Annexure P-6 to the writ petition which is a reply to an application made by the petitioners under the Right to Information Act, 2005. The said reply dated August 26, 2022 says that the plot in question is not found involved in

LA Case, meaning thereby that the plot was not acquired by the State.

The petitioners seek liberty to submit a comprehensive representation before the respondent no. 9 and pray for a direction upon respondent no.9 to consider the said representation at the earliest.

It is submitted on behalf of the respondent that the respondent no. 9 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 petitioners to submit a comprehensive representation before the 9th respondent ventilating their grievance within two weeks from date. The 9th respondent is directed to consider and dispose of the representation within six weeks from the date of receipt thereof after affording reasonable opportunity of hearing to all concerned including the petitioners, in accordance with law.

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

With the above observations and directions this writ petition is disposed of.

There shall, however, 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)