

September 13, 2023
ARDR (20)

WPA 14896 of 2023

Chowdhuri Md. Aziz Hussain & ors.
Vs.
The State of West Bengal & ors.

Adv. S. P. Lahiri,
Adv. Md. Habibur Rahman,
Adv. S.K. Tiwari,
Adv. Ayan Banerjee,

...for the petitioners.
...for the UOI.
...for the State.

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

Heard learned counsels for the parties.

It is contended on behalf of the petitioners that though their land was acquired by the State respondents vide L.A. case no. 19/NH/2004-2005 and notice under Section 12(2) of the Land Acquisition Act, 1894 was issued to them, no further communication was made to them by the authority for payment of compensation. The petitioners submitted a representation before the concerned authority ventilating their grievance on 12/13th October, 2020 which is yet to be considered. The petitioners pray 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 directing the 4th respondent to consider and dispose of the representation submitted by the petitioner dated 12/13th

October, 2023 within six weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all the stakeholders including the petitioners, in accordance with law.

The petitioners shall be at liberty to place all relevant documents in support of their claim before the concerned authority at the time of hearing.

With the aforesaid observations and directions, the writ petition, being WPA 14896 of 2023 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.)