

20.03.2023
rc/ct.no.10
Item No.29

WPA No. 16464 of 2021

Mr. Subhajit Chowdhury
Mr. H. Mustafi ...for the petitioner

Mr. Soumitra Bandyopadhyay
Mrs. Debarati Sen (Bose) ...for the State

Affidavit of service filed in Court today is taken on record.

None appears on behalf of the private respondents despite service.

The petitioners claim to be the recorded owners of the plot in question as the legal heirs of the original owner, Nuchad Ali Mondal and submit that the plot in question was donated by the petitioners in favour of the Public Health Engineering Department for AIRP Project. Compensation paid to the petitioners for the same was not adequate or sufficient. One Imtaj Ali Mondal who is similarly placed with the petitioners was given an employment under the Public Health Engineering Department upon handing over his land to the department. The petitioners seeks similar indulgence from the authority.

The petitioners submitted a representation in this regard before the concerned authority on 24th December, 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 State-respondents that the land of the petitioners was acquired and compensation was paid to them for the same.

Being aggrieved by the quantum of compensation, the petitioners applied under Section 18 of the Land Acquisition Act, 1894, the fate of which is not known.

The prayer of the petitioners in the present writ petition is for consideration of their representation seeking employment in favour of the first petitioner.

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 24th December, 2020 within two months from the date of communication of this order upon affording reasonable opportunity of hearing to all the affected persons including the petitioner, in accordance with law.

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

With the above observations and directions this writ petition 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)