

22.11.2023
rc/ct.no.10
Item No.11

WPA No. 15815 of 2023
Sk. Sahalam
Versus
The State of West Bengal & Ors.

Mr. Rabiul Islam	
Mr. Jayed Hossain	
Mr. Raju Mondal	...for the petitioner
Mr. Ayan Banerjee	
Mr. Debansu Nandi	for the State
Mr. S.M.Hassan	
Ms. Anupama Yasmin...	for the Haldia Municipality

On the prayer of the petitioner liberty is granted to implead the Rehabilitation Advisory Committee, Haldia as respondent no. 6 in the writ petition.

The cause title of this writ petition be amended accordingly.

The petitioner alleges that though two separate plots of land belonging to him and his father respectively were acquired by the State respondents vide L.A.Case No. 16/69-70 and compensation paid to them in 1972, no alternative plot of land was provided to the petitioner in terms of the rehabilitation scheme of the Haldia Municipality solely on the ground that the petitioner was a minor at the relevant time. Such alternative plot was allotted in favour of the petitioner's father by the authority. The petitioner seeks to file 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 State respondents that the representation be directed to be considered by the 6th respondent in accordance with law. Leaned counsel further submits that the inordinate delay in filing the application by the petitioner has not been explained.

In view of the above, the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation before the concerned authority, being the 6th respondent herein, within two weeks from date. The 6th 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 petitioner and the respondents herein, in accordance with law.

The petitioner is at liberty to place all relevant documents before the concerned authority at the time of hearing.

It is made clear that this Court has not gone into the merits of this case and the authority shall be at liberty to take an independent decision upon hearing the relevant persons in accordance with law.

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)