

27
20.09.2023
Ct.No.10
b.das

WPA No. 15907 of 2023

**Jiban Krishna Ghosh & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Panchanan Hajra ...for the petitioners.

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

None appears for the State respondents despite service.

Mr. Chandi Charan De, who usually appears for the State and is present in Court, is requested to represent the State in the matter. His appointment be regularized by the office of the learned Legal Remembrancer.

The petitioners should serve copy of the writ petition alongwith all annexures thereto to Mr. De in course of this day.

Heard learned counsels for the parties.

It is contended on behalf of the petitioners that the land of the petitioners was requisitioned in terms of the West Bengal Land (Requisition and Acquisition) Act, 1948 but the land was not acquired subsequently. In the meantime the said Act of 1948 stood repealed with effect from March 31, 1997 and the scheme for which such requisition was made was abandoned.

The petitioners submitted a representation before the 4th respondent on 29th May, 2023 seeking release of his land and damages, if any, but the representation is yet to be considered. The petitioners pray for a direction upon the concerned authority to consider the representation at the earliest.

It is submitted on behalf of the State 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 petitioners on 30th May, 2023 within a period of three months from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioners, in accordance with law.

In the event the representation is decided in favour of the petitioners, necessary consequential steps be taken by the 4th respondent within a month thereof.

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 supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)