

July 25, 2023
ARDR
(13)

WPA 15060 of 2019

Md. Sariful Haque Mondal & ors.
Vs.
The Union of India & Ors.

Adv. Md. Younush Mondal
...for the petitioners.
Adv. Soumitra Bandyopadhyay,
Adv. Priyabrata Batabyal,
...for the State.

Report in the form of affidavit submitted on behalf
of the 4th respondent is taken on record.

It is contended on behalf of the petitioners that the
land of the petitioners have been utilised by the State
respondents without acquiring the same by due process
of law. No compensation was also paid to the petitioners
for the same.

In the report in the form of affidavit submitted on
behalf of the State respondents the Executive Engineer,
Barasat Highway Division-II, PW (Roads) Directorate has
stated that proposal for direct purchase of the land was
submitted before the District Magistrate and Collector,
North 24 Parganas by the Deputy Secretary, Land
Acquisition Branch, PW (Roads) Wing vide letter dated
25th January, 2022 and the said proposal is in an
advance stage before the District Land Purchase
Committee, North 24 Parganas.

In view of the above, this Court is inclined to hold
that since the State respondents have initiated the

proposal for direct purchase of the plot in question, the concerned respondents be directed to conclude the entire exercise within a stipulated time frame.

Accordingly, the writ petition is disposed of directing the 1st, 2nd and 4th respondents to proceed with the proposal for direct purchase of the plot in question already initiated by them and conclude the entire exercise including the payment of valuation of the property to the petitioners in accordance with law within four months from the date of communication of this order upon affording reasonable opportunity of hearing to the petitioners.

With the above directions, WPA 15060 of 2019 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 on usual undertakings.

(Suvra Ghosh, J.)