

10.01.2023
rc/ct.no.10
Item No.63

WPA No. 15493 of 2018

Mr. Panchanan Hajra ...for the petitioners

Mr. Soumitra Bandyopadhyay
Mr. Priyabrata Batabyal ...for the State

The petitioners claim to be recorded owners of the plots in question and complain that the Forest Department is in possession of a portion of the said plots in excess of the portion acquired by them.

Learned counsel for the State-respondents submits, on instruction, that a joint enquiry may be held in respect of the plots in question in order to ascertain whether any portion of the plots owned by the petitioners is under occupation of the Forest Department in excess of the acquired portion.

Upon consideration of the submission made on behalf of the parties, the writ petition is disposed of directing the Special Land Acquisition Officer, Hooghly, being the 4th respondent herein, to hold a joint field enquiry of the plots in question in presence of all the interested persons including petitioners/ their authorised representatives as well as 5th and 6th respondents within two months from the date of communication of this order.

In the event it is found that the plots in question of the petitioners or any portion thereof is in possession of

the Forest Department in excess of the portion acquired by them, necessary steps be taken by the respondents for compensating the petitioners for the same within two months thereafter upon affording reasonable opportunity of hearing to all the interested parties including the petitioners, in accordance with law.

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

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)