

WPA 18997 of 2022

Rohit Nath Mandal
Vs.
The State of West Bengal & Ors.

Mr. K. M. Hossain ...for the petitioner.

Mr. Naba Kr. Das
Mr. Subhabrata Das ...for the State.

Report in the form of affidavit filed on behalf of the Block Land and Land Reforms Officer, Taldangra, Bankura is taken on record.

Heard learned counsels for the parties.

The petitioner claims to be the recorded owner of the plot in question and submits that a portion of the said plot has been utilized by the State respondents for construction of a community tank without acquiring the same. No compensation has been paid to the petitioner for the same.

Pursuant to an earlier order passed by a co-ordinate Bench of this Court on 20th December, 2019 in WP 7531 (W) of 2019, the Block Land and Land Reforms Officer, Taldangra, Bankura held an enquiry in this regard and in the compliance proceeding initiated by him, observed by an order passed on 22nd March, 2022 that about 1.32 acres of the petitioner's raiyati land has been utilized for the purpose of constructing the tank.

The petitioner submitted a representation through his learned Advocate on 6th April, 2022 before the concerned authority for initiating appropriate proceedings for the purpose of releasing compensation in his favour, which is yet to be considered. The petitioner prays for a direction upon the concerned authority to consider the representation at the earliest.

It is submitted on behalf of the respondents that the 3rd respondent be directed to consider the representation, in accordance with law.

In view of the above, the writ petition is disposed of directing the 3rd respondent to consider and dispose of the representation submitted on behalf of the petitioner dated 6th April, 2022 within a period of six weeks from the date of communication of this order upon giving reasonable opportunity of hearing to all the interested persons including the petitioner and in terms of the order passed by the Block Land and Land Reforms Officer, Taldangra, Bankura on 22nd March, 2022, in accordance with law.

In the event the petitioner is found entitled to compensation, such compensation be disbursed to the petitioner within a month thereafter.

With the above observations and directions this writ petition being WPA 18997 of 2022 is disposed of.

However, there shall 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 supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)