

07.02.2023
rc/ct.no.10
Item No.36

WPA No. 17846 of 2019

Mr. Rabiul Islam
Mr. Shamim ul Bari ...for the petitioner

Mr. Soumitra Bandyopadhyay
Mr. Aniruddha Senfor the State

Heard learned counsels appearing on behalf of the parties.

The petitioner claims to be the recorded owner of 1.46 acres of land and submits that 1.21 acres out of the said land was acquired by the State-respondents vide LA Case Nos. 16R/70-71 and 26R/85-86. Though compensation has been paid for the same, the land has not been utilised. The petitioner seeks to submit a comprehensive representation stating the entire facts before the concerned authority and prays for a direction upon the authority to consider the said representation at the earliest.

It is submitted on behalf of the State-respondents that since the land has been acquired and vested in the State, the question of divesting the land does not arise.

Learned counsel for the State-respondents also submits that the Special Land Acquisition Officer, Burdwan being the 4th respondent herein be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation before the 4th respondent ventilating his grievance within 7 days from date. The 4th respondent is directed to consider and dispose of the representation within two months from the date of receipt thereof after affording reasonable opportunity of hearing to all interested persons including the petitioner, in accordance with law.

The decision taken by the authority shall be communicated to the petitioner 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)