

13.12.2023
rc/ct.no.10
Item No.520

WPA No. 19363 of 2022
Nitai Chand Das & Ors.
Versus
The State of West Bengal & Ors.

Ms. Salma Sultana Shah ...for the petitioners

Mr. Soumitra Bandyopadhyay
Mrs. Suchana Banerjee ...for the State

Affidavit of service filed in Court is taken on record.

Petitioners claim to be recorded owners of the plot in question and complain that the respondents are trying to dispossess them therefrom upon claiming that the plot has been acquired.

Learned counsel for the petitioners submits that an order of vesting under the provision of the West Bengal Estate Acquisition Act was set aside by this Court by an order passed on May 10, 1984 in Civil Rule No. 9392(W) and 9474(W) of 1976. The petitioners filed several representations before the concerned authority ventilating their grievance, the last representation being submitted on July 22, 2022. None of the representations has been considered as yet. The petitioners pray for a direction upon the authority to consider the representations at the earliest.

Learned counsel for the State respondents submits that the 4th respondent be directed to consider the representations 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 representations submitted by the petitioners within two months from the date of communication of this order, upon affording reasonable opportunity of hearing to all concerned including the petitioners, in accordance with law.

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

Pending disposal of the representations, there shall be an order of status quo upon both the parties with regard to the nature, character and possession of the plots in question as on this day.

With the above observations and directions this writ petition 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 upon compliance of necessary formalities.

(Suvra Ghosh,J)