

August 24, 2023
ARDR (18)

WPA 20593 of 2021

Hilton Projects Pvt. Ltd.
Vs.
The General Manager, S. E. Railway & Ors.

Adv. Sayan Ray,
Adv. Samrat Choudhury,
Adv. Harish Kumar Singh,
...for the petitioner.
Adv. Ashik Kumar Ganguly,
Adv. Subrata Dasgupta,
...for the State.

Report in the form of affidavit submitted on behalf of the State respondents is taken on record.

The petitioner claims to have acquired title in respect of plot in question by virtue of purchase from the erstwhile owners and complains that the railway authorities are restraining him from raising any construction in the said plot.

It appears from the report in the form of affidavit submitted on behalf of the State respondents that the plot in question was acquired by the respondents pursuant to the requisition issued under Section 3(1) of the West Bengal Land (Requisition and Acquisition) Act, 1948 followed by notification under Section 4 of the Act. The plot in question is therefore, vested land. Learned counsel submits that the said vesting came to his knowledge only upon perusal of the report in the form of affidavit.

The petitioner seeks to take necessary steps in this regard before the appropriate forum.

In view of the above, nothing further remains to be adjudicated in the present writ petition and the same is accordingly disposed of.

Liberty is granted to the petitioner to approach the appropriate forum for redressal of his grievance.

There shall however, be no order as to costs.

Urgent certified website copy of this order, if applied for, be furnished to the parties on usual undertakings.

(Suvra Ghosh, J.)