

WPA 20944 of 2017

Dwijendranath Barman
Vs.
The State of West Bengal & Ors.

Mr. Suprabhat Bhattacharya ...for the petitioner.

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

Affidavit of service filed by the petitioner and status report submitted on behalf of the State respondents are taken on record.

Heard learned counsels for the parties.

The petitioner claims to be the recorded owner of the plots in question and submits that though the plots were acquired by the respondents vide LA Case No.11/39 of 1973-74, no compensation was paid to the petitioner for the same.

The petitioner submitted a representation before the concerned authority in this regard on 3rd May, 2017, which is yet to be considered. The petitioner prays for a direction upon the concerned authority to consider the representation at the earliest.

It appears from the status report as well as the submission made by the respondents that compensation has already been paid to the predecessor-in-interest of the petitioner.

Be that as it may, since the representation submitted by the petitioner is pending consideration by the authority, the authority be directed to consider the same 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 representation submitted by the petitioner dated 3rd May, 2017 within a period of two months from the date of communication of this order upon giving reasonable opportunity of hearing to all the interested persons including the petitioner, in accordance with law.

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

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 20944 of 2017 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.)