

June 13, 2023
(21) ARDR

WPA 20940 of 2022

Joydeb Ghosh
Vs.
The Eastern Coalfields Ltd. & ors.

Adv. Sharanya Chatterjee,
...for the petitioner.
Adv. Saptarshi Mukherjee,
Adv. Puspall Chakraborty
...for the ECL.

Affidavit of service filed by the petitioner is taken on record.

It is contended on behalf of the petitioner that due to mining activities of the respondents in the land belonging to the petitioner, the land has subsided and become unfit for cultivation. Several approaches made by the petitioner before the authority for payment of compensation for the same fell on deaf ears. The petitioner submitted a representation before the concerned authority on 16th August, 2022 in this regard which is yet to be considered. The petitioner prays for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the respondents that the 2nd respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the representation submitted by the petitioner dated 16th August, 2022 within six weeks from the date of

communication of this order upon affording reasonable opportunity of hearing to all the stakeholders including the petitioner, in accordance with law.

The petitioner shall be at liberty to place all relevant documents before the authority at the time of hearing.

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

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

With the aforesaid directions, WPA 20940 of 2022 is disposed of.

There shall however, be no order as to costs.

Since no affidavit in opposition 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 on usual undertakings.

(Suvra Ghosh, J.)