

S/L 19
15.12.2023
Court. No. 25
Sourav

WPA 21722 of 2006

Ajoy Kumar Das
Vs.
The State of West Bengal & Ors.

Mr. Tarun Kumar Das
Mr. Madan Mohan Roy

...for the petitioner.

Mr. Pantu Deb Roy, Ld. AGP
Mr. Subrata Guha Biswas

...for the State.

1. This writ petition was filed claiming that the concerned respondents were going to construct a pucca road over the petitioner's land under Pradhan Mantri Gramin Sadak Yojona without acquiring the said land initiating any acquisition proceeding and/or without declaring any award or making payment of compensation for that land.
2. During course of hearing, since none appears to represent the State, this Court requests Mr. Deb Roy, learned Additional Government Pleader to appear in this matter and to take instruction. Mr. Deb Roy was further requested to file a report disclosing the fact whether the petitioner's land has been acquired and/or utilized to construct any road under Pradhan Mantri Gramin Sadak Yojona.
3. Mr. Deb Roy, learned AGP has submitted a report where in unequivocal terms the Block Development Officer, Ramnagar, Block -I has declared that the petitioner's land has not been utilized to construct any road under Pradhan Mantri Gramin Sadak Yojona. The report as

submitted by Mr. Deb Roy, learned AGP is taken on record.

4. Mr. Deb Roy, learned AGP submits upon instruction that without following due process of law no personal land including the petitioner's shall be utilized to construct any road under Pradhan Mantri Gramin Sadak Yojana.
5. In view of such submission made on behalf of the State, I am of the view that there is nothing remains further to adjudicate in the writ petition. Consequently, the writ petition being **WPA 21722 of 2006** is disposed of without any order.
6. Parties are directed to act upon the server copy of this order duly downloaded from the official website of this Court.
7. Urgent photostat certified copy of this order, if applied for be given to the parties, upon compliance of necessary formalities.

(Partha Sarathi Chatterjee, J.)