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jdt.

25.04.2023
jb.

W.P.A. 20588 of 2019
(Md. Samsul Hoque vs. State of West Bengal & Ors.)

Md. Salamuddin
.... For the Petitioner
Ms Aparna Banerjee
.... For the Railways
Mr. Ansar Mondal
Ms. Srilekha Bhattacharyya
.... For the State

On prayer of the petitioner liberty is granted to implead the Special Land Acquisition Officer, Malda as respondent No. 8 in the writ petition. The cause title of the writ petition be amended accordingly.

Heard learned counsels for the parties.

The petitioner complains that the Railway Authorities have constructed a road over the petitioner's property without acquiring the same.

The reports submitted on behalf of the respondents demonstrate that the portions of plot Nos. 1583 and 1584 have been acquired and compensation paid to the predecessor in interest of the petitioner for the same. Since the acquired portions have not been demarcated, the land left for utilisation of the petitioner cannot be ascertained.

The petitioner prays for demarcation of the acquired portions of plot Nos. 1583 and 1584 in order to enable him to utilise the unacquired portions of the plots.

In view of the above, the 8th respondent is directed to take necessary steps for demarcation of the acquired portions of the land in plot Nos. 1583 and 1584 in presence of all the stake holders including the petitioner/ his authorised representative and the Railway Authority, in accordance with law within three months from the date of communication of this order.

Since nothing further remains to be adjudicated in the writ petition, the writ petition is disposed of accordingly.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)