

30.03.2023
rc/ct.no.10
Item No.24

WPA No. 25380 of 2017

Mr. Rabiul Islam
Mr. Raju Mondal ...for the petitioner

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

Exception used by the petitioner to the report submitted on behalf of the 2nd respondent is taken on record.

Heard learned counsels appearing on behalf of the parties.

It is not in dispute that the land belonging to the petitioner was acquired by the State-respondents and the petitioner has received compensation for the same.

It is submitted on behalf of the petitioner that since the project for which the land was acquired has been completed and the petitioner's land has not been utilised by the respondents, the petitioner seeks return of the land and is ready to return the compensation received by him along with interest thereon. The petitioner seeks to submit a comprehensive representation in this regard before the concerned authority and prays for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the State-respondents that the 3rd respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of with liberty to the petitioner to submit a comprehensive representation before the 3rd respondent ventilating his grievance within 7 days from date. The 3rd respondent is directed to consider and dispose of the representation within two months from the date of receipt thereof upon affording reasonable opportunity of hearing to all interested persons including the petitioner, in accordance with law.

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

With the above observations and directions this writ petition is disposed of.

There shall be, however, 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)