

22
jdt.

16.05.2023
jb.

W.P.A. 26720 of 2017

Noorjahan Mollah & Anr.
vs.
State of West Bengal & Ors.

Mr. Tauhid Khan
Md. Monirul Islama Mollah
Mr. Z. Munshi
.... For the Petitioners

None appears for the State respondents despite service.

Mr. Chandi Charan De who is present in Court and usually appears for the State is requested to represent the State in this matter. The appointment of Mr. De, learned advocate be regularised by the office of the learned Legal Remembrancer.

The petitioner is directed to serve copy of the writ petition along with annexure thereto to Mr. De in course of this day.

It is submitted on behalf of the petitioners that their land has been acquired by the respondents for the purpose of project 'Kona Expressway', but no compensation was paid to them. In reply to an application filed by the petitioners under the Right to Information Act, 2005 the concerned authority being

the S.P.I.O. & Special Land Acquisition Officer (HIT), Howrah stated that land acquisition proceeding was initiated and final award was under process. The petitioners submitted a representation before the concerned authority on 8th May, 2017 ventilating their grievance which is yet to be considered. The petitioners pray for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the respondents that the 5th respondent be directed to consider the representation, in accordance with law.

In view of the above, the writ petition is disposed of directing the 5th respondent to consider and dispose of the representation submitted by the petitioners dated 8th May, 2017 within two months from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioners, in accordance with law. In the event the petitioners are found entitled to compensation, such compensation be disbursed in their favour within two months thereafter.

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.)