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jdt.

13.02.2023
jb.

W.P.A. 25819 of 2022
(Probodh Chandra Mondal & Ors. vs. State of West Bengal & Ors.)

Mr. Mukteswar Maity
.... For the Petitioners

Mr. Partha Pratim Roy
Mr. R. C. Guchhait
.... For the State

Affidavit of service filed on behalf of the petitioners is taken on record.

The petitioners claim to be the legal heirs of the recorded owner of the plots in question and submit that though the said plots were acquired by the concerned authority for construction of embankment, no compensation was paid to the petitioners or their predecessor-in-interest. In an earlier writ petition filed by the petitioners, a co-ordinate Bench of this Court, by an order passed on 31st August, 1992 in Civil Order No. 12143 (W) of 1992 directed the concerned Authority to pay compensation to the petitioners, if not already paid, positively within 31st December, 1992. The said order has also not been complied with, as submitted by the learned counsel for the petitioners. The petitioners submitted a representation in this regard before the concerned authority on 9th March, 2021 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 9th March, 2021 within two months from the date of communication of this order upon affording reasonable opportunity of hearing to the petitioners, in accordance with law. In the event the petitioners are found entitled to compensation, the same be disbursed to them within a month thereafter.

The writ petition is thus disposed of.

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.)