

May 08, 2023
(2) ARDR

WPA 24261 of 2019

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CAN 1 of 2022

CAN 2 of 2022

Bivas Jash & ors.

Vs.

The State of West Bengal & Ors.

Adv. Susanta Pal,

Adv. M. Kundu,

Adv. Janardan Mandal,

...for the applicants/petitioners.

Adv. Chandi Charan De,

Adv. Anirban Sarkar,

...for the State.

Re : CAN 1 of 2022 and CAN 2 of 2022.

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

The petitioners have prayed for condonation of delay for filing the restoration application. Good grounds being shown, the delay is condoned.

The restoration application is taken up for consideration.

Heard learned counsels for the parties.

Sufficient grounds being made out, the application is allowed.

The order dated 6th August, 2023 is set aside.

The writ petition is restored to its original file and number.

The applications, being CAN 1 of 2022 and CAN 2 of 2022, are disposed of.

Re : WPA 24261 of 2019

The petitioners complain that their land has been acquired by the State respondents, but no compensation has been paid to them till date. The petitioners submitted a representation in this regard before the concerned authority on 29th July, 2019, 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 State respondents that the 2nd respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the representation submitted by the petitioners dated 29th July, 2019 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.

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

In the event the petitioners are found entitled to compensation, such compensation be disbursed in their favour within two months thereafter.

With the aforesaid directions, WPA 24261 of 2019 is disposed of.

There shall however, be no order as to costs.

Since no affidavit in opposition 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 on usual undertakings.

(Suvra Ghosh, J.)