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jdt.

10.02.2023
jb.

W.P.A. 27674 of 2022
(Tapan Sanyal vs. State of West Bengal & Ors.)

Mr. Neil Basu
Mr. Rahul Kr. Singh
Mr. Sankha Biswas
.... For the Petitioner

Mr. Soumitra Bandyopadhyay
Mr. Subhasis Bandyopadhyay

.... For the State

It is contended on behalf of the petitioner that the land of the petitioner was acquired by the State respondents vide L. A. Case No. 4/34 of 2012-2013 and award granted to the petitioner was received by him after objection. The petitioner submitted several representations before the Land Acquisition Collector, 24 Parganas (South) for reference under Section 64 of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 read with Section 18 of the Land Acquisition Act, 1894 which have not been considered by the authority as yet. The petitioner prays for a direction upon the authority to consider the applications at the earliest.

It is submitted on behalf of the respondents that the 4th respondent be directed to consider the applications submitted by the petitioner, in accordance with law.

In view of the above, the writ petition is disposed of directing the 4th respondent to consider and dispose of the representations submitted by the petitioner within one month from the date of communication of this order after affording reasonable opportunity of hearing to the petitioner, in accordance with law.

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

It is made clear that this Court has not gone into the merits of the case and the authorities shall be at liberty to decide the applications filed by the petitioner independently in accordance with law and without being influenced by any observation which may have been made in this order.

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.)