

WPA 28694 of 2022

Manik Mondal & ors.
Vs.

The State of West Bengal & Ors.

Adv. Partha Pratim Roy,
Adv. Dyutiman Banerjee,

...for the petitioner.

Adv. Manika Roy,

...for the NHAI.

Adv. Chandi Charan De,
Adv. Anirban Sarkar,

...for the State.

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

Heard learned counsels for the parties.

The petitioners have prayed for re-measurement of the plot in question in terms of the representation submitted by them on 2nd August, 2021. It appears from the order passed by a coordinate Bench of this Court in an earlier writ petition being WP No.19012 (W) of 2015 in 2016 that the enquiry report submitted by the Special Land Acquisition Officer, Nadia as well as the sketch map was considered by the Court in turning down the prayer of the petitioners for a direction upon the authority to consider their representation submitted on 26th May, 2015. The order records that the petitioners have actually encroached upon a piece of land which was originally owned by the petitioners but has long been acquired, in accordance with law, upon payment of due compensation. The

representation submitted on 2nd August, 2021 is in substance, a reiteration of the earlier representation submitted on 26th May, 2015.

There being no subsequent change of circumstances for filing the present writ petition, the prayers of which have already been dealt with in the earlier writ petition, the present writ petition is not maintainable, being barred by principles of res judicata.

Accordingly, the writ petition being WPA 28694 of 2022 is dismissed, being barred by principles of res judicata.

There shall however, be no order as to costs.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J.)