

**WPA 28698 of 2022**

Mihir Sen  
Vs.  
The State of West Bengal & Ors.

Adv. H. Ghosh,  
Adv. S. Majumder,  
...for the petitioner.  
Adv. Naba Kr. Das,  
Adv. Pathik Bandhu Banerjee,  
...for the respondent nos. 6 & 7.  
Adv. Ashim Kr. Ganguly,  
Adv. Bellal Shaikh,  
...for the State.

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

The petitioner claims to be owner of property in premises no. 18, Gariahat Road, Post Office Jodhpur Park, Police Station Lake, District Kolkata and contends that pursuant to a notification issued by the State respondents on September 24, 1996 under Section 3(1) of the West Bengal Land (Requisition and Acquisition) Act, 1948 in respect of premises no.28B, Gariahat Road, the property of the petitioner was taken possession of by the State respondents who has been enjoying the same till date. Several representations submitted by the petitioner for return of the said property fell on deaf ears. The representation submitted by the petitioner before the concerned authority on 11<sup>th</sup> October, 2022 is also pending. The petitioner prays for a direction upon the authority to consider the representation at the earliest and take necessary steps for return of the property to him.

It is submitted on behalf of the respondents that the 3<sup>rd</sup> respondent be directed to deal with the representation in accordance with law.

In view of the above, the writ petition being WPA 28698 of 2022 is disposed of directing the 3<sup>rd</sup> respondent to consider and dispose of the representation submitted by the petitioner dated 11<sup>th</sup> October, 2022 within six weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioner, in accordance with law. In the event the petitioner is found entitled to the relief sought, the said authority shall take necessary steps for return of the property in favour of the petitioner within one month thereafter.

There shall however, be no order as to costs.

Since no affidavit 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 supplied to the parties upon compliance with all requisite formalities.

**(Suvra Ghosh, J.)**