

CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE

The Hon'ble **JUSTICE BIBEK CHAUDHURI**

WPA 295 of 2023

Yousuf Ali
Vs.
The State of West Bengal and Ors.

Mr. Momenur Rahman
Mr. Bikash Singha
...for the petitioners

Mr. Raja Saha
Ms. Bedashruti Bose
Mr. Subham Chanda
...for SJDA

Mr. Bikramaditya Ghosh
Mr. Pretom Das
...for the State

Item No. 20.

Judgment on: 09.02.2023

BIBEK CHAUDHURI, J. : –

The petitioner's father and grandfather, since deceased, were noticed for acquisition of the suit land situated in Mouza-Debgram in 181 L.A. dated 25th February, 2009 and 195 L.A. of the same date under Sections 3 and 4 of Section 9 of the land Acquisition Act of 1894. After receiving such notice under

Section 9 of the said Act the petitioner came to know that the land recorded in the name of the father and grandfather of the petitioner were acquired. The petitioner being one of the heirs filed representation before the competent authority for awarding compensation but the respondent authority sat tight over the matter. The petitioner finally for himself and on behalf of the other heirs filed representation for payment of compensation in accordance with law of the land on 26th September, 2022. However, the said representation has also not been acceded to by the respondents.

In view of the above circumstances and after hearing the learned advocates for the State, respondent Nos. 2 and 3 and the learned advocate for the respondent Nos. 4 and 5 this Court is of the view that the respondent Nos. 2 and 3 are under obligation to dispose of the representation dated 26th September, 2022 in accordance with law after giving opportunity to the petitioner or his authorized representatives of hearing. Therefore, the respondent Nos. 2 and 3 are directed to dispose of the representation dated 26th September, 2022 within four weeks from the date after giving opportunity to the

petitioner or his authorized representatives of hearing and pass a reasoned order within one week thereafter. The petitioner be communicated accordingly immediately on disposal of his representation.

The instant writ petition is **disposed of** with the above direction on contest.

The petitioner is at liberty to act on the server copy of this order.

(Bibek Chaudhuri, J.)