

16
09.08.2023
Ct. No.2
b.das

**IN THE HIGH COURT AT CALCUTTA
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction**

WPA No. 1468 of 2023

Samchhul Haque
Vs.
The State of W.B. & Ors.

Mr. Swarup Das
Mr. Satyajit Paul ...for the petitioner.

Mr. Subir Kumar Saha
Mr. Bedashruti Bose ...for the State.

Report in the form of affidavit submitted on behalf of the respondents is taken on record.

The petitioner complains that a portion of his land has been utilized by the panchayat authority for construction of a village road but no compensation was paid to him for the same.

It is not in dispute that during pendency of the writ petition, the portion of land of the petitioner, utilized by the authority to the extent of 9 meters, was returned to the petitioner.

The report submitted on behalf of the respondents demonstrates that the land was restored to its original nature and character upon returning the same to the petitioner.

In view of the above, nothing further remains to be adjudicated in this writ petition and the same is, accordingly, disposed of.

However, this order shall not preclude the petitioner from approaching the concerned authority for the purpose of claiming compensation for utilization of the land by the authority for a certain period of time.

With the above observations and directions the writ petition is disposed of.

However, there shall 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.)