

**CALCUTTA HIGH COURT IN THE CIRCUIT BENCH
AT JALPAIGURI**

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12.07.2023
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WPA 1274 of 2023

**Ajit Ghosh
Vs.
The State of West Bengal & Ors.**

**Mr. Hirak Barman
Ms. Bedashruti Bose**

...for the State

At the time of call no one appears for the petitioner and no accommodation is prayed for. However, State-respondents are represented by learned advocate. The learned advocate representing the State-respondents submits that on similar situation a coordinate Bench passed an order dated 22nd September, 2021 on a writ petition being WPA 1281 of 2021 (Purna Chandra Roy Vs. The State of West Bengal & Ors.).

This Court on perusal of records finds that a representation has been made on 31st May, 2022 addressed to the concerned respondent authorities for determination of compensation as per relevant provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013. It appears that a case has been made out by the petitioner that his land has been acquired by the authority for laying railway tracks.

In view of the contents of the representation dated 31st May, 2022 and the similar issue since has been decided by the coordinate Bench in Purna Chandra Roy

(supra) this Court directs the Special Land Acquisition Collector, Coochbehar to determine compensation payable to the petitioner for acquisition of his land under the aforesaid Act of 2013 (supra), within a period of 12 (twelve) weeks from the date of communication of this order.

The concerned Special Land Acquisition Collector is also directed to communicate the order to be passed to the petitioner and also to the General Manager (Construction) of North East Frontier Railway within a period of 2 weeks thereafter. If General Manager (Construction) of North East Frontier Railway is communicated with the order passed by the Special Land Acquisition Collector, Coochbehar, the said General Manager shall take steps in terms of the order of the Special Land Acquisition Collector within a period of 6 (six) weeks from the date of receipt of the order from the Special Land Acquisition Collector.

With the aforesaid direction, the writ petition stands disposed of.

There shall be no order as to costs.

Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)