

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

A-28 11.11.2024
Sc Ct. no.2

WPA 763 OF 2024

Sudarshan Mondal alias Gurupada Mondal

Vs.

The State of West Bengal & Ors.

Mr. Mr. Dilip Kumar Maiti

Mr. Uttam Kumar Kamila.

.....For the Petitioner

Mr. Saikat Sen

.....For the Respondent/
State

Affidavit-of-service, filed in Court today, is taken on record.

Mr. Dilip Kumar Maity, learned advocate appears for the petitioner.

Mr. Saikat Sen, learned State advocate appears for the respondents State.

The grievance of the petitioner is that, during the natural calamity “**Cyclone YAAS**” for the purpose of construction of **Ring Bandh** the entire land of the petitioner has been utilised. The petitioner complains of that, till date no compensation has been paid. The petitioner submitted its representation dated **March 21, 2023, Annexure-P2 at page 9** to the writ petition but the same has not been disposed of.

In view of the above, the respondent no.5 upon issuing a prior notice of hearing of at least **seven days** to

the petitioner and after affording him an opportunity of hearing shall dispose of the said representation dated **March 21, 2023, Annexure-P2 at page 9** to the writ petition by passing a reasoned order in accordance with law.

If necessary, the respondent no.6 shall place all the records relating to the subject land of the petitioner before the respondent no.5.

The entire exercise as directed above, shall be carried out and completed by the respondent no.5 positively within a period of **eight weeks** from the date of communication of this order.

The respondent no.5 then shall communicate the reasoned order to the petitioner positively within a further period of **two weeks** from the date of the said reasoned order to be passed.

It is made clear that, this Court has not gone into the merits of the claim of the petitioner and the petitioner shall be at liberty to urge whatever points he wishes to urge in support of his claim by relying upon whatever records and documents he wishes to reply upon before the respondent no.5 but the same shall not travel beyond his representation dated **March 21, 2023, Annexure-P2 at page 9** to the writ petition.

After the reasoned order is passed if it is found that, the petitioner is eligible for the compensation, payable strictly in accordance with law then after

carrying out all the necessary and statutory formalities the compensation shall be paid to the petitioner positively within a period of **three months** from the date of the said reasoned order to be passed.

Since affidavits are not called for, the allegations made in the writ petition are deemed not to have been admitted by the respondents.

With the above observations and directions, this writ petition, **WPA 763 of 2024** stands **disposed of**, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)