

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

32 04.11.2024
Sc Ct. no.2

WPA 2901 OF 2024

Tarini Real Estate Private Limited & Anr.

Vs.

The State of West Bengal & Ors.

Mr. Siddhartha Mitra

Mr. Swaraj Shaw.

.... For the Petitioners

Mr. Chandi Charan De, Addl. Govt. Pleader

Ms. Reshmi Chattopadhyay.

.... For the Respondents
State

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

Mr. Siddhartha Mitra, learned senior counsel appears for the petitioners.

Mr. Chandi Charan De, learned Additional Government Pleader appears for the State respondents.

The first petitioner being the owner of a chunk of land applied for conversion of user of land. A portion of the chunk of land has already been converted, the balance has not yet been converted. Referring to ***Annexure-P12*** at ***pages 290 to 303*** to the writ petition, learned senior counsel appearing for the petitioners submits that the necessary applications in the statutory form have already been submitted before the appropriate jurisdictional authority and the same are kept pending.

He then refers to the representation submitted on behalf of the petitioners dated **September 25, 2023, Annexure-P13 at page 304** to the writ petition, the same has also not been considered.

In view of the above, the respondent no.2 is directed upon issuing prior notice of hearing of at least **seven days** to the petitioners and after affording them an opportunity of hearing to decide the applications and the said representation of the petitioners as referred to above by passing a reasoned order in accordance with law.

The entire exercise as directed above, shall be carried out and completed by the respondent no.2 positively within a period of **six weeks** from the date of communication of this order. The reasoned order shall be communicated to the petitioners 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 petitioners or the writ petition. The petitioners shall be at liberty to urge whatever points they wish to urge by relying upon whatever records and documents they wish to rely upon before the respondent no.2.

In the event, the reasoned order goes in favour of the petitioners, the respondent no.2 and/or any other State authority shall take all necessary and consequential steps to give an immediate effect to the said reasoned

order but positively within a period of ***two weeks*** from the date of the said reasoned order to be passed, strictly in accordance with law.

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

With the above observations and directions this writ petition, ***WPA 2901 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.)