

05.11.2024

Item No. 33

Crt.No.02

b.r.

WPA 3059 of 2024

Pankaj Kumar Roy

-vs-

The State of West Bengal & Ors.

Mr. Tanmay Khan

.... For the petitioner.

Mr. Soumitra Bandyopadhyay

Ms. Suchana Banerjee

Mr. Priyabrata Batabyal

.... For the State.

Mr. Tanmay Khan, learned Advocate appears for the petitioner.

Mr. Priyabrata Batabyal, learned State Advocate appears for the respondents except respondent no. 4.

None appears for the respondent no. 4.

The petitioner submits that without acquiring the plot of the petitioner, the State is in the process of utilizing the land of the petitioner for the purpose of construction of an overhead water tank. Boundary wall has been constructed surrounding the land. The petitioner submitted its representation dated **October 9, 2023, annexure P- 3 at page 34** to the writ petition, the same has not been disposed of.

The learned State Counsel on instruction submits that the land of the petitioner though has not been acquired but is being utilized for the public purpose by

the State and the State has already initiated process under **Direct Purchase Policy**.

The petitioner has also given its due consent that the State can proceed with the **Direct Purchase Policy**.

In view of the above, the **respondent no. 4** is directed to take steps and forthwith complete all the formalities and process under **Direct Purchase Policy** of the State and then after carrying out all the necessary documentation shall pay the purchase consideration to the petitioner strictly in accordance with law.

The entire exercise as directed to herein shall be carried out and completed by the **respondent no. 4** positively within a period of **six months** from the communication of this order which shall include the payment of purchase consideration to the petitioner without any default and delay.

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 3059 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.)