

1303.
06-02-2025
(Ct. no.29)
debajyoti

**IN THE HIGH COURT AT CALCUTTA
Special Jurisdiction
APPELLATE SIDE**

**CPAN 1627 of 2024
in
MAT/339/2023
+
IA NO:CAN/4/2025**

**Bimal Sardar
Vs.
Md. Samiul Alam & Anr.**

Mr. Samim Ahammed,
Mr. Arka Maiti,
Ms. Ambiya Khatun
... For the Appellant/Petitioner.

Mr. Rabindra Narayan Dutta,
Mr. Hare Krishna Halder
... For the alleged contemnors.

Dictated by Arijit Banerjee, J.

1. Report in the form of affidavit filed by the Special Land Acquisition Officer, North 24 Parganas, be kept with the records.

2. Mr. Dutta, learned counsel, appearing for the alleged contemnors, says that the State is prepared to pay compensation to the petitioner in terms of the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (in short "2013 Act"). However, since Rules have not been framed till date under the 2013 Act, officially nothing can be done in that regard.

3. Taking note of the submission, we grant liberty to the petitioner to send a computation of the compensation that he is entitled to in terms of the provisions of the 2013 Act including the schedules

thereto. This may be done within a week from date. The computation/proposal may be handed over to Mr. Dutta, learned counsel, appearing for the alleged contemnor. Mr. Dutta is requested to obtain appropriate instructions thereafter and if necessary, arrange for a meeting between the petitioner and/or his authorized representative and the concerned officer in the department. Since the State has categorically stated that it is prepared to pay compensation applying the formula contained in the new Act, including the Schedules thereto, we find that the dispute may be settled amicably between the parties and we ardently hope so.

4. List this matter once again on **February 27, 2025**.

5. Mr. Dutta, learned counsel, appearing for the alleged contemnors, says that approximately Rs.10,88,108/- is lying with the Land Acquisition Collector, North 24 Parganas, to the credit of the petitioner. We grant liberty to the petitioner to accept such sum without prejudice to his rights and contentions in the pending legal proceedings.

6. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

7. Urgent photostat certified copies of this order, if applied for, be supplied to the parties on compliance of all necessary formalities.

(Arijit Banerjee, J.)

(Apurba Sinha Ray, J.)