

Court No. 2
05.11.2024
(Item No. ML-46)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 8892 of 2024

Gangadhar Sen & Ors.

VS

The State of West Bengal & Ors.

Mr. Swapan Kumar Kar

.... For the petitioners

Mr. Soumitra Bandyopadhyay

Mr. Srinath Singha Roy

.... For the State respondents

There are **21 individual** writ petitioners. Only one Court fee has been paid. Subject to payment of the balance Court fees by the rest of the petitioners this order shall be effected.

The petitioners contend that their land has been utilized long back for public purpose by the State without acquisition or requisition. The petitioners have not been paid compensation. The petitioners submitted a representation dated **November 28, 2023, annexure P-2** at **page 43** to the writ petition before the State authorities but the same has not been dealt with.

Referring to the documents **annexure P-1** at **pages 21 to 42** to the writ petition learned counsel for the petitioners submit that, the State has already obtained consent from the land losers to implement **Direct Purchase** policy in accordance with law.

In view of the above, the respondent No. 4 is directed after verifying all the records to implement, execute and complete the **Direct Purchase** policy in

the event compensation has not already been paid to the petitioners or the land losers. The policy shall be implemented strictly in accordance with law.

The entire exercise shall be carried out and completed by the respondent No. 4 including making payment to the petitioners in accordance with law positively within a period of **six months** from the date of communication of this order.

It is made clear that, the **Direct Purchase Policy** shall only be implemented, in the event compensation has not yet been paid to the petitioners or the land losers.

It is also made clear that, this order shall not create any right or equity in favour of the petitioners if they are not eligible to receive the benefit of the Direct Purchase policy of the State 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 **W.P.A. 8892 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.)