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06.02.2024

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W.P.A. 8251 of 2023
(Ramesh Singh & Anr. vs. State of West Bengal & Ors.)

Mr. Soumyadeep Biswas
... For the Petitioners

None appears for the State respondents despite service.

Mr. Chandi Charan De who is present in Court and usually appears for the State is requested to represent the State in this matter along with a junior of his choice. The appointment of Mr. De, learned advocate and Mr. Anirban Sarkar, learned advocate be regularised by the office of the learned Legal Remembrancer. Copy of the writ petition along with annexure thereto be served upon Mr. De in course of the day.

It is submitted on behalf of the petitioners that the land of the petitioners has been utilised by the State authorities without acquiring the same by due process of law or granting compensation the petitioners in lieu thereof. Several communications made by the petitioners with the authority in this regard yielded no fruitful result. The petitioners seek to submit a comprehensive representation before the concerned authority ventilating their grievance and pray for a direction upon the authority to consider the representation at the earliest.

Learned counsel for the respondents submits that the 4th respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of with liberty to the petitioners to submit a comprehensive representation before the 4th respondent within one week from date. The 4th respondent is directed to consider and dispose of the representation within one month from the date of receipt thereof upon affording reasonable opportunity of hearing to all concerned including the petitioners, in accordance with law. In dealing with the representation the 4th respondent shall be at liberty to take the assistance of the 5th respondent, if required.

The decision taken by the authority shall be communicated to the petitioners within a week thereof.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)