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20.02.2024
Ct. No.10
b.das

WPA 11231 of 2023

Monalisa Pal
Vs.
The State of W.B. & Ors.

Mr. Subhadip Paramanik
Ms. Mausumi Arji ...for the petitioner.

Mr. Ayan Banerjee
Mr. Arindam Mitra
Ms. Debjani Sengupta ...for the State.

Affidavit of service filed by the petitioner is taken on record.

Heard learned counsels for the parties.

It is contended on behalf of the petitioner that the petitioner is the recorded owner of the plot in question, which has been utilized by the PWD, Midnapore by constructing a road thereon.

In reply to an application made by the petitioner under the Right to Information Act, it was informed that the plot in question or any portion thereof has not been acquired. Survey of the plot was conducted by an Amin appointed by the Block Land & Land Reforms Officer, Sabang, Paschim Medinipur and upon demarcation the Amin submitted a report before the Block Land & Land Reforms Officer, Sabang, Paschim Medinipur stating that though the plot in question was not acquired, a line was drawn over a portion of the said plot in the L.R. Mouza map

and a concrete road was running through government land as well as a part of the plot in question.

The petitioner submitted a representation in this regard before the District Magistrate, Paschim Medinipur on 7th December, 2022 seeking compensation for utilization of her land. The said representation is yet to be considered. The petitioner prays for a direction upon the concerned authority to consider the representation at the earliest.

Learned counsel for the State respondents submits that the 2nd respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the representation submitted by the petitioner dated 7th December, 2022 within one month from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioner, in accordance with law.

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

In the event the petitioner is found entitled to compensation, such compensation shall be disbursed in her favour within two months thereafter.

There shall, however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)