

28.03.2024

Ct. no.654

Sl. No.118

sn

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)

W.P.A. 9784 of 2015

Ajit Bera
Vs.
The State of West Bengal & ors.

Mr. Lalratan Mandal
Mr. Dilip Kumar Sadhu
... for the petitioner

None appears on behalf of the State-respondents nor any report in the form of affidavit is filed by the State respondents in terms of the order dated 8th January, 2024.

Mr. Chandi Charan De, learned Additional Government Pleader, who usually appears on behalf of the State-respondents is requested to appear in this matter. Let appointment of Mr. Chandi Charan De, learned Additional Government Pleader be regularised by the concerned authority.

Learned advocate for the petitioner is directed to hand over copy of the writ petition and annexure to Mr. De, learned Additional Government Pleader.

Mr. Lal Ratan Mondal, learned advocate for the petitioner submits that the land of the petitioner comprised within mouza Maupal, plot no.13/302 of area 0.8 acre, plot no. 113/376 of area 0.7 acre and plot no. 626 of area 0.24 acre has been acquired by the State-respondents. The possession of the aforesaid land has

already been taken over by the State-respondents in the year 1976 but till date no compensation has been paid to the petitioner in respect of such acquisition. The petitioner made a representation before the Special Land Acquisition Officer, being the respondent no.6, on 25th February, 2008 raising the aforesaid grievance but till date the same has not been considered. He prays for appropriate directions upon the Special Land Acquisition Officer, being the respondent no.6 to consider the representation of the petitioner.

Mr. Chandi Charan De, learned Additional Government Pleader submits that the direction be passed upon the Special Land Acquisition Officer, being the respondent no.6 for considering the representation of the petitioner.

Having heard the learned advocates for the respective parties the Special Land Acquisition Officer, being the respondent no.6 is directed to consider and dispose of the representation of the petitioner dated 25th February, 2008 within a period of two months from the date of communication of this order after giving an opportunity of hearing to all concerned including the petitioner in accordance with law.

The result of such disposal be communicated to the petitioner within a week thereof.

Learned advocate-on-record for the petitioner is directed to communicate this order to the Special Land Acquisition Officer, being the respondent no.6.

It is made clear that this Court has not gone into the merits of the case and all points are kept open for consideration by the respective authorities.

With the above directions, this writ petition being **WPA 9784 of 2015** stands disposed of along with all connected applications, if any.

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

Interim order, if any, stands vacated.

All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

Urgent photostat copy of this order, if applied for, be given to the parties upon compliance of necessary legal formalities.

(Bivas Pattanayak, J.)