

108
12.06.2024
KC

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 12275 of 2022

Ram Prasad Kumar
Vs.
The State of West Bengal & Ors.

Mr. Lal Ratan Mondal
Mr. Dilip Kumar Sadhu
...for the petitioner

Mr. Chandi Charan De, learned AGP
Mr. Anirban Sarkar
...for the State

The grievance of the petitioner is directed against an order dated March 16, 2022 passed in a proceeding initiated under the Land Acquisition Act, 1894.

It is contended on behalf on behalf of the petitioner that despite his land being acquired, the respondent authorities have failed to pay any compensation.

This is the third round of litigation between the parties. It is contended on behalf of the petitioner that on the basis of earlier records it would be evident that the petitioner's land has been acquired. The petitioner relies on an order dated March 3, 2020, which was passed pursuant to an order passed by a Coordinate Bench dated November 20, 2019.

On behalf of the respondent it is submitted that the impugned order is a final order on the same facts and circumstances and is passed after perusing all necessary records.

Pursuant to earlier orders of Court, the Special Land Acquisition Officer by an order dated March 16, 2022 (the impugned order) has conclusively arrived at a finding that after conducting searching that the acquisition case do not match the subject premises of the petitioner and no portion of the petitioner's land has been acquired in the said acquisition case. It has been further held in the impugned order that the entire case of alleged acquisition in respect of the petitioner's land is uncorroborated and bereft of any records.

In such circumstances, there is no merit in the present writ petition.

The impugned order categorically finds that no portion of the petitioner's land has been acquired and the petitioner was unable to substantiate such fact before the Appropriate Authority.

In such circumstances, there is no question of granting any compensation to the petitioner.

WPA 12275 of 2022 stands dismissed. However, there shall be no order as to costs.

(Ravi Krishan Kapur, J.)