

WPA 15154 OF 2024

Panchanan Santra

Vs.

The State of West Bengal & Ors.

Mr. Golam Mastafa
Mr. T. S. Samanta.

...For the Petitioner

Mr. Chandi Charan De
Ms. Reshma Chatterjee.

....For the State
Respondents

Mr. Salil Kumar Maiti
Ms. Pinki Saha
Ms. Dolan Samta.

...For the Respondent
Nos. 7 to 9

Affidavit-of-service is already taken on record.

Mr. Golam Mastafa, learned counsel appearing for the petitioner prays for leave to file two supplementary affidavits to disclose certain materials which, according to him, are relevant for adjudication of this writ petition. Such prayer is allowed. Two supplementary affidavits affirmed on June 27, 2024 and July 4, 2024, filed in Court toda, are taken on record.

Copies of the said two supplementary affidavits has been handed over to Mr. Salil Kumar Maiti, learned advocate appearing for the private respondent nos. 7 to 9 and Mr. Chandi Charan De, learned Additional Government Pleader.

Learned counsel for the petitioner submits that, the land acquisition compensation to the extent of **Rs.19,43,987/-**(Rupees nineteen lakh forty-three thousand nine hundred and eighty-seven only) is lying with the learned ***District Judge, Purba Medinipur, Tamluk.***

Mr. Salil Kumar Maiti, learned counsel appearing for the private respondent nos. 7 to 9 submits that, a title suit is pending being ***Title Suit No.271 of 2013*** before the learned ***Civil Judge (Junior Division), Haldia.*** He submits that till the suit is decided, the compensation amount cannot be distributed amongst the joint claimants. He also submits that the petitioner alleged to have sold out his entire share in the joint property.

Learned counsel for the petitioner has opposed and denied the said submissions made on behalf of the private respondents.

The decision of the acquiring body shows that, the entire compensation amount shall be kept with the learned ***District Judge, Purba Medinipur, Tamluk*** until the said title suit is decided finally.

This Court finds no infirmity in the said decision of the acquiring body.

In view of the above, the learned ***District Judge, Purba Medinipur, Tamluk*** is directed to keep the entire compensation amount of **Rs.19,43,987/-**(Rupees nineteen lakh forty-three thousand nine hundred and

eighty-seven only) in an interest bearing Fixed Deposit account with the nearest branch of the **State Bank of India** and shall produce the photocopy of the Fixed Deposit receipts to both the learned advocates on record for the petitioner herein and the private respondent nos. 7 to 9 opposing this writ petition who are the parties to the said pending title suit also.

The copy of the said receipts shall be provided to the learned advocates on record for the parties in the said title suit, referred to above.

The Fixed Deposit shall be created positively within a period of **a week** from the date of communication of this order and immediately thereafter the copies of the receipts shall be provided to the parties, as directed above.

It is expected that, the said pending title suit shall be proceeded as expeditiously as possible.

With the above directions, this writ petition, **WPA 15154 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.)