

20.11.2024

Item No. ML61

Crt.No.02

b.r.

WPA 15139 of 2024

Sekhar Debnath

-vs-

The State of West Bengal & Ors.

Mr. Indranath Mukherjee

Mr. Anirban Saha

.... For the petitioner.

Mr. Chandi Charan De, learned AGP

Mr. Anirban Sarkar

... for the State.

Affidavit of service filed in Court today, is taken on record.

Mr. Indranath Mukherjee, learned advocate appears for the petitioner.

Mr. Chandi Charan De, learned Additional Government Pleader appears for the State-Respondents.

The grievance of the petitioner is that though the **Land Acquisition Award** has been crystalised, made and published on **August 9, 2023** with reference to **LRA 83 of 2007** but till date the amount has not been paid to the petitioner.

In view of the above, the petitioner if already has filed the necessary execution case before the jurisdictional Civil Court to execute the said **Award annexure p-2 at page-23** to the writ petition then the jurisdictional Civil Court shall dispose of the same after

granting an opportunity of hearing to the petitioner and then by passing a reasoned order in accordance with law positively within a period of **three months** from date.

In the event, the petitioner has not filed any execution proceeding then the petitioner shall file the Execution Proceeding positively within **four weeks** from date before the jurisdictional Civil Court and the jurisdictional Civil Court then shall dispose of the same in accordance with law in the manner and as indicated above positively within a period of **three months** from date of filing of the said Execution Case.

It is made clear that this Court has not gone into the merits of this writ petition. The petitioner shall be at liberty to urge whatever points he wishes to urge by relying upon whatever records and documents he wishes to rely upon before the Executing Court.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations and directions, this writ petition, **WPA 15139 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.)