

Item-
14. 17-05-2024

sg Ct. 8

RVW 123 of 2023
CAN 1 of 2023

Amal Kumar Ghosh, since deceased,
represented by hi legal heirs and representatives,
Bratati Ghosh & Anr.
Versus
Land Acquisition Collector & Ors.

In

FA 89 of 2015

Mr. Milan Kumar Bhattacharya, Sr. Adv.
Mr. Goutam Banerjee, Adv.
Ms. Chumki Das Banjya, Adv.
...for the applicants
Mr. Ashim Kr. Ganguly, Adv.
Sk. Md. Masud, Adv.
Mr. Sambuddha Dutta, Adv.
...for the respondent

1. This is an application for review of the order dated 27th April, 2023.
2. Mr. Milan Kumar Bhattacharya, learned Senior Counsel for the petitioners has submitted that the rate chart produced at the time of hearing on 27th April, 2023 was not supplied to Mr. Goutam Banerjee, Advocate appearing on behalf of the respondents on that date and as such, no effective submission could be made on verification of record and the applicability of the rate chart to the plots of land acquired. It is submitted that no opportunity was given to the applicants to argue on whether the description of the land in the said rate chart conforms to the land acquired and could be considered as comparable units.
3. In our order, we have recorded that the rate chart produced by the State was taken on record by consent of the parties. However, we do not find any submission by Mr. Banerjee on

the rate chart. We cannot definitely recollect as to whether Mr. Banerjee, on that date, has prayed for time to consider the report filed with the rate chart and take exception to the said report. However, we have definite recollection that the said chart was shown to Mr. Banerjee.

4. Be that as it may, since the chart was not supplied to Mr. Banerjee prior to the date of hearing, we recall our order dated 27th April, 2023.
5. The matter may be heard afresh by the appropriate Bench having the determination subject to convenience of the Bench.
6. The review application and the connected application are accordingly, disposed of.

(Soumen Sen, J.)

(Uday Kumar, J.)