

20.11.2024

Item No. ML65

Crt.No.02

b.r.

WPA 15585 of 2024

Asit Mallick

-vs-

The State of West Bengal & Ors.

Mr. Debdutta Basu

.... For the petitioner.

Mr. Chandi Charan De, Ld. AGP

Mr. Anirban Sarkar

.... For the State.

Mr. Debdutta Basu, learned advocate
appears for the petitioner.

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

The petitioner claims payment of
compensation as the successors-in-interest on a
particular land which was acquired from the
predecessors-in-interest of the petitioner.

In view of the above, the petitioner is directed
to serve a complete set of writ petition upon the
added respondent no.6. The respondent no.6 then
upon issuing a prior hearing notice of at least **ten**
days to the petitioner, private respondent nos. 4
and 5 and other interested parties, if any, and after

giving them an opportunity of hearing shall decide the representation of the petitioner dated **March 27, 2024 at page-52** to the writ petition by passing a reasoned order in accordance with law.

The entire exercise shall be carried out and completed by the added respondent no.6 positively within a period of **three months** from the date of communication of this order and the reasoned order shall be communicated to the petitioner, the private respondents and other interested parties, if any, positively within a further period of **four weeks** from the date of the said reasoned order to be passed..

It is made clear that this Court has not gone into the merits of the claim of the petitioner, the private respondents and the other interested parties, if any, and there shall be at liberty to urge whatever points they wish to urge by relying upon whatever records and documents they wish to rely upon before the **respondent no.6** but the same shall not travel beyond the scope of the case made out in the writ petition.

In the event, the reasoned order goes in favour of the petitioner, then appropriate State authority shall take all necessary steps to give an immediate effect thereto but positively within a

period of **two months** from the date of the said reasoned order to be passed.

It is made clear that this order shall not create any right or equity in favour of the petitioner, private respondents or any other interested party, if any, in the event they do not succeed to their respective claims before the respondent no.6 strictly in accordance with law.

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 15585 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.)