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27.06.2024
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IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. No. 16999 of 2022

Biswanath Mondal
Vs.
Union of India & Ors.

Mr. Satyaranjan Kundu
...for the petitioner

Mr. Sabyasachi Roy Chowdhury
...for the Railways

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

The petitioner seeks enhancement of compensation in respect of an acquisition proceeding pertaining to his land. By an order a prior writ petition, being W.P.A. No. 3889 of 2018, July 02, 2018, a Coordinate Bench had directed the respondent authorities to consider the representation of the petitioner in accordance with law.

Pursuant to the above order dated July 02, 2018, the respondent authorities had, by an order dated July 22, 2019, found that the petitioner was ineligible for any enhancement of compensation.

This is the second round of litigation where the petitioner has challenged the order dated July 22, 2019 and seeks enhancement of compensation.

It appears from the impugned order that the respondent authorities have come to a conclusive finding that the petitioner has failed to produce any document warranting enhanced compensation.

Regardless of the question of maintainability, even on merits there are no grounds which the petitioner has been able to demonstrate which warrants passing any order in favour of the petitioner. There is no illegality nor perversity nor any contravention of law which the petitioner has been able to demonstrate which warrants any interference with the impugned order. The impugned order categorically records that despite an opportunity being granted, the petitioner was unable to produce any document.

In view of the above, W.P.A. No. 16999 of 2022 stands dismissed both on the ground of maintainability and on merits.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be made available to the parties upon compliance of necessary formalities.

(Ravi Krishan Kapur, J.)