

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

72 09.12.2024
Sc Ct. no.2

WPA 17972 OF 2024

Ratna Kundu & Ors.

Vs.

State of West Bengal & Ors.

Mr. Debasis Sur

Mr. Swapan Kumar Kar.

.... For the Petitioners

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

Mr. Debasis Sur, learned counsel appears for the petitioners.

None appears for the respondents, despite service.

This order shall be effected subject to payment of remaining **three** individual **court fees** to be paid by the petitioners.

The sole grievance of the petitioners is that, since the quantum of compensation have not been enhanced by the jurisdictional Civil Court the petitioners have initiated proceeding under **Section 28A** of the **Land Acquisition Act, 1894** and the same is still pending before the respondent no.3.

In view of the above, the respondent no.3 is directed to dispose of the said application of the petitioner, **Annexure-P1 at page 11** to the writ petition

by passing a reasoned order, in accordance with law positively within a period of **six months** from the date of communication of this order.

It is made clear that this Court has not gone into the merits of the claim of the petitioners made in the said application filed by the petitioners under **Section 28A** of the **Land Acquisition Act, 1894** and the jurisdictional authority shall decide the same independently 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 17972 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.)