

30.04.2024
Court No. 15
Item No. 667 (M/L)
(**Suvendu**)

W.P.A. 20020 of 2017

Md. Sahanoor
-Versus-

The State of West Bengal & Ors.

Mr. Golam Mostafa
Mr. Asis Dutta

.....for the petitioner

Mr. Sudipta Panda
Ms. Tuli Sinha

.....for the State

A report of the Land Acquisition Collector, Malda dated 15th March, 2024 has been filed by the State respondent. The same is taken on record. A copy of the said report is made over to the learned advocate representing the petitioner.

In the said report, it has been stated that though allegation is made in the writ petition that the land admeasuring 2.5 acres of the father of the petitioner was acquired by the Special Land Acquisition Collector under Plot No. 78 within Mouza – Kalutola, Police Station – Ratua, District –Malda, in paragraph 3 but after thorough search of the office records it is found that above-mentioned land has not been acquired till date for any purpose by the Land Acquisition Collector, Malda. In support of such statement, the relevant part of the record of rights in connection with the land situates under Plot No. 78, Mouza –Kalutola, District – Malda is annexed to the said report.

On perusal of the writ petition and on hearing the learned advocate representing the petitioner, it does not appear that the land in question has been acquired by the concerned respondent authorities since in support of the same no document has been disclosed in the writ petition based on which it can be concluded that the petitioner's above referred land has been acquired.

Since it has been reported by the Land Acquisition Collector, Malda that the aforesaid land of the petitioner has not been acquired, the relief as prayed for in this writ petition ought not to be entertained.

Accordingly, the writ petition stands dismissed.

There shall be, however, no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Saugata Bhattacharyya, J.)