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jdt.

07.02.2024
jb.

W.P.A. 18950 of 2023
(Arup Kr. Mondal & Anr. vs. State of West Bengal & Ors.)

Mr. Lal Ratan Mondal
Mr. Dilip Kr. Sadhu
Mr. Avik Kr. Das
.... For the Petitioners
Mr. Chandi Charan De
Mr. Anirban Sarkar
.... For the State

Exception used by the petitioners to the report submitted by the State respondents is taken on record.

Heard learned counsels for the parties.

The petitioners are aggrieved by the amount of compensation paid to them for acquisition of their land on the ground that though the compensation was initially assessed at Rs.9,12,294/- by the authority, it was subsequently reduced to Rs.3,09,283/-. In an earlier writ petition filed by the petitioners being WPA 5392 of 2021, this Court by an order passed on September 22, 2021, directed the State respondents to disburse the compensation in favour of the petitioners within a stipulated time frame. Upon non-compliance of the said order by the State, the petitioners filed a contempt application being CPAN 701 of 2022 wherein the State clarified that only a tentative estimate which was not vetted by the Joint Secretary, Land and Land Reforms and Refugee Relief and Rehabilitation Department, Government of West Bengal was sent to the petitioners initially. The estimate was recast after vetting and finally assessed compensation was decided at Rs.3,09,283/-. The

said amount has been disbursed in favour of the petitioners. Such explanation was accepted by this Court as satisfactory. However, liberty was granted to the petitioners to approach the appropriate forum in the event they were aggrieved by the compensation paid to them. In view of such liberty, the petitioners have approached this Court in the present writ petition.

Learned counsel for the petitioners seeks to submit a comprehensive representation before the concerned authority in this regard and prays for a direction upon the authority to consider the representation at the earliest.

Learned counsel for the respondents submits that the third respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of with liberty to the petitioners to submit a comprehensive representation ventilating their grievance before the third respondent within one week from date. The third respondent be directed to consider and dispose of the representation within four weeks from the date of receipt thereof upon affording reasonable opportunity of hearing to all concerned including the petitioners, in accordance with law. The petitioners are at liberty to place relevant documents before the authority at the time of hearing.

The decision taken by the authority shall be communicated to the petitioners within a week thereof.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)