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25.09.2024
BP
Ct. No. 2

W.P.A 22283 of 2024

Sulata Naskar & Ors.
-versus
The State of West Bengal & Ors.

Mr. Sankar Prasad Dalapati
Mr. Safik Dewan
...for the Petitioner
Mr. Chandi Charan De, Ld. Additional
Government Pleader
Ms. Reshma Chatterjee
..for the State

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

The petitioners are the land losers whose land had initially been requisitioned then acquired and ultimately utilized for a public project. The determination of ownership and the utilization by the State of such land have already been settled and achieved finality, pursuant to the previous direction of a co-ordinate bench in a previous writ petition filed by the petitioners.

In view of the above, the respondent no.5 is directed, since the direct purchase policy has already been exercised by the State, to fix the purchase consideration in accordance with law. This exercise shall be carried out by the respondent no.5 on the basis of the existing records as would be evident from pages 44 to 47 to the writ petition positively within a period of **four weeks** from the date of communication of this order and shall communicate the same to the petitioners positively within a **week** thereafter.

The respondent no.5 shall also communicate the fixation of price to the respondent no.6 within the period of **one week** from the date of fixation of price by it. The respondent no.6 then shall release the entire fund and shall transfer the same to the office of the respondent no.3 positively within a period of **three months** from the date of receiving the communication from the respondent no.5.

The respondent no.3 then shall carry out all the necessary formalities to conclude the sale process in accordance with law and shall pay the petitioners by purchase consideration positively within a period of **one month** from the date of receipt of the fund from the respondent no.6.

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 22283 of 2024** stands disposed of, without any order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties expeditiously, on compliance of usual legal formalities.

(Aniruddha Roy, J.)