

691
21.02.2024
Ct. No.10
b.das

WPA 23471 of 2023

Birsingha Konar Roy & Ors.
Vs.
The State of W.B. & Ors.

Mr. Panchanan Hazra ...for the petitioners.

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

Report in the form of affidavit submitted on behalf of the State respondents is taken on record.

Heard learned counsels for the parties.

It is not in dispute that the land of the petitioners has been utilized by the PWD (Roads) for construction of a road. Learned counsel for the respondents submits that the PWD (Roads) shall demarcate the exact quantum of land utilized by the Department and the State is ready and willing to initiate proceedings for direct purchase of the said land from the petitioners at the present market rate. The petitioners are agreeable to such proposal.

In view of the above, the writ petition is disposed of directing the 5th respondent to demarcate the exact portion of the land utilized by the Department in presence of all concerned including the petitioner and submit a report to that effect within one month from date. Upon such assessment being made, the 2nd respondent is directed to initiate proceeding for direct purchase of the said land and

conclude such proceedings upon payment of current market value of the land in question to the petitioners within four months from the date of communication of this order upon affording reasonable opportunity of hearing to all concerned including the petitioners, in accordance with law. The 5th and 7th respondents are directed to render all cooperation and assistance to the 2nd respondent and ensure compliance of this order within the stipulated time frame.

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

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)