

29 22.8.2024
Sc Ct. no.2

WPA 22530 OF 2019

Modina Bibi Molla & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Tapas Kr. Bhattacharcharya

Mr. Aviroop Bhattacharya.

.....For the Petitioners

Mr. Malay Singh

Ms. Neelam Singh.

.....For the State

This is a hearing matter upon affidavits.

This writ petition has been filed by **fifteen** individual land losers whose lands were acquired for public purpose. Subject to payment of **fourteen** further **Court Fees** before the department, this order shall be effected.

Mr. Tapas Kr. Bhattacharya, learned counsel being ably assisted by Mr. Aviroop Bhattacharya, learned advocate appearing for the petitioners submits that though their lands had been acquired but the compensations have not yet been paid. Referring to **Annexure-P2 at pages 36 to 43** to the writ petition learned counsel for the petitioners submits that, these are the representations submitted before the respondent no.3 but have not yet received any attention.

Mr. Malay Singh, learned State counsel appearing for the respondents submits that, the lands had long been acquired and utilized.

In view of the above, it appears to this Court that, compensations have to be paid to the petitioners in accordance with law.

Accordingly, the respondent no.3 upon issuing a prior hearing notice of at least **seven days** to the petitioners and their present advocate on record in this writ petition and after giving them an opportunity of hearing shall dispose of the representations submitted by the petitioners by passing reasoned orders.

It is needless to mention that, the petitioners can be represented through their authorized representatives before the respondent no.3.

The entire exercise, as directed above, shall be carried out and completed by the respondent no.3 positively within a period of **three months** from the date of communication of this order.

The reasoned orders shall be communicated to the petitioners and their authorized representative, if any, positively within a further period of **two weeks** from the date of the said reasoned orders to be passed.

It is made clear that, this Court has not gone into the merits of the claim of petitioners with regard to their respective compensation and the petitioners shall be at liberty to urge whatever points they wish to urge in support of their claims by relying upon whatever records and documents they wish to reply upon before the respondent no.3.

The respondent no.3 and/or any appropriate State authority shall pay the respective compensation to the petitioners positively within a period of **one month** from the date of the said reasoned order to be passed in accordance with law and upon compliance of all the formalities.

With the above observations and directions this writ petition, **WPA 22530 of 2019** stands disposed of, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)