

25.11.2024

Item No. 31

Crt.No.02

A.B.

WPA 26298 of 2024

***Manna Bricks Manufacturing and
Trading Private Limited & Ors.***

-vs-

The State of West Bengal & Ors.

Mr. S. P. Dalapati

Mr. Sujit Bhunia

Mr. Asumdipta Santra

Mr. Roney Mondal

.... For the petitioners.

Mr. Chandi Charan De, Ld. Addl. Govt. Pleader

Mr. Anirban Sarkar

... for State respondents

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

Mr. S. P. Dalapati, Learned advocate appears
for the petitioners.

Mr. Chandi Charan De, learned Additional
Government Pleader appears for the respondents.

The petitioners complain of that their land
has been acquired long back but no compensation
has yet been paid to the land-losers. The
petitioners submitted representation dated **August
16, 2022, annexure P-10 at page-67** to the writ
petition, but the same has not been considered.

In view of the above, the jurisdictional
Special Land Acquisition Collector upon issuing
a prior notice of hearing of at least **ten days** to the
petitioners and other interested parties, if any, and

upon giving, them an opportunity of hearing shall dispose of the said representation dated **August 16, 2022**, as referred to above, by passing a reasoned order in accordance with law.

The entire exercise shall be carried out and completed by the jurisdictional **Special Land Acquisition Collector** positively within a period of **eight weeks** from the date of communication of this order.

It is made clear that this Court has not gone into the merits of claim of the petitioners and the petitioners and other interested parties, if any, shall be at liberty to urge whatever points they wish to urge on their claim for compensation on acquired land by relying upon whatever records and documents they wish to rely upon before the jurisdictional **Special Land Acquisition Collector**.

If the reasoned order goes in favour of the petitioners and other interested parties, if any, the jurisdictional **Special Land Acquisition Collector** and any other appropriate State Authority shall give an immediate effect thereto by taking all necessary and consequential steps in accordance with law. The compensation shall be calculated and determined strictly in accordance with law.

It is needless to mention that if the petitioners or other interested parties, if any, are found to have been paid the compensation already, they shall not be paid any further compensation.

It is further made clear that this order shall not create any right or equity in favour of the petitioners and other interested parties, if any, if they do not succeed to their respective claims strictly in accordance with law.

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 26298 of 2024** stands **disposed of**, without any order as to costs.

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

(Aniruddha Roy, J.)