

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

12 06.12.2024
Sc Ct. no.2

WPA 27401 OF 2024

Santosh Biswas

Vs.

The State of West Bengal & Ors.

Mr. Baidurya Ghosal
Mr. Saikat Mukherjee
Ms. Anupama Biswas.

.... For the Petitioner

Mr. Ayan Banerjee
Mr. Amritlal Chatterjee.

.... For the Respondents
State

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

Mr. Baidurya Ghosal, learned advocate appears for the petitioner.

Mr. Ayan Banerjee, learned Government advocate appears for the respondents.

The petitioner complains of that his land has been acquired long back but no compensation has yet been paid to the land-losers. The petitioner submitted representation dated **July 15, 2024, Annexure-P10 at page-57** 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 **July 15, 2024**, 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 petitioner and the petitioner 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 petitioner 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 petitioner 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 petitioner 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 27401 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.)