

Court No. 2
09.12.2024
(Item No. ML-29)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 27991 of 2023

Sabita Kayal Pramanik
VS
Union of India & Ors.

Sk. Rejaul Alam
.... For the petitioner

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

Sk. Rejaul Alam, learned advocate appears for the petitioner.

None appears for the respondents.

The sole grievance of the petitioner is that the representation of the petitioner dated **September 19, 2023, annexure P-3** at **page 20** to the writ petition is kept pending for long.

In view of the above, the respondent No. 1 is directed upon issuing a prior hearing notice of at least seven days to the petitioner and the other interested parties, if any, and after granting them an opportunity of hearing shall dispose of the said representation dated **September 19, 2023, annexure P-3** at **page 20** to the writ petition by passing a reasoned order in accordance with law.

The entire exercise shall be carried out completed by the respondent No. 1 positively within a

period of **six weeks** from the date of communication of this order. The reasoned order shall be communicated to the petitioner and the other interested parties, if any, within a further period of **one week** from the date of the said reasoned order to be passed.

It is made clear that, this Court has not gone into the merits of the claim of the petitioner and the other interested parties, if any, and they shall be at liberty to urge whatever points they wish to urge by relying upon whatever records and documents they wish to rely upon before the respondent No. 1.

In the event, the reasoned order goes in favour of the petitioner or any other interested parties, if any, then the respondent No. 1 and/or the appropriate other State authorities shall take all necessary and consequential steps for issuing land loser certificate and consequential payment of compensation payable to the petitioner and other interested parties, if any, in accordance with law within a period of **three months** from the date of the said reasoned order to be passed.

In the event, the record shows that compensation has already been paid to the actual land loser then no further compensation to be paid to the petitioner and other interested parties, if any.

It is further made clear that, this order shall not create any right or equity in favour of the

petitioner or in favour of the other interested parties, if any, if they do not succeed to their respective claim before the respondent No. 1 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 27991 of 2023** stands **disposed of**, without any order as to costs.

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

(Aniruddha Roy, J.)