

Court No. 2
12.8.2024
(Item No. 8)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side
W.P.A. 28462 of 2023

Subir Ghosh
VS
The State of West Bengal & Ors.

Mr. Tanmoy Mukherjee
Ms. Sreyanshi Majumder
Mr. Kaushik Biswas
Mr. Soumava Santra
.... For the petitioner
Mr. Chandi Charan De
Mr. Anirban Sarkar
.... For the State
Mr. Satyajit Talukdar
Ms. Rutika Verma
.... For K.M.D.A.

Affidavit of service is already on record.

Mr. Tanmoy Mukherjee, learned advocate
appears for the petitioner.

Mr. Chandi Charan De, learned Additional
Government Pleader appears for respondent Nos. 1, 3
and 4.

Mr. Satyajit Talukdar, learned counsel appears
for respondent Nos. 2 and 5.

A portion of the petitioner's land for about little
more than 14 Katthas out of about 24 Katthas have
been acquired. The requiring body was Kolkata
Metropolitan Development Authority and acquiring
authority was the State. Referring to the
communication dated **March 29, 2023 and August**
22, 2023, annexure P-1 at **page 15** and **annexure P-**
3 at **page 23** respectively to the writ petition learned
counsel for the petitioner submits that, the acquired

portion of the land has not yet been demarcated by the authorities. Though the acquisition was held in the year **1980**.

Considering the submissions made on behalf of the parties, the petitioner shall serve a copy of today's order upon the respondent Nos. 2 and 4 forthwith. The respondent Nos. 2 and 4 then upon mutual communication with each other and upon prior notice of at least seven days to the petitioner shall visit the subject land and shall carry out the necessary exercise and the respondent No. 4 then shall complete the demarcation of the acquired land in accordance with law.

The demarcation shall be caused by the respondent No. 4, as directed above, with the active assistance and participation of the respondent No. 2 positively within a period of **four weeks** from the date of communication of this order.

After demarcation is completed the respondent No. 4 shall prepare a demarcated site plan and shall make over the same to the petitioner positively within a further period of **two weeks** after the said demarcation exercise is completed.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have admitted by the respondents.

The directions made above are peremptory.

With the above observations and directions this writ petition **W.P.A. 28462 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.)