

587
jdt. 16.01.2024
jb.

W.P.A. 28868 of 2023

**Basudeb Dutta & Ors.
vs.
State of West Bengal & Ors.**

**Mr. Suranjan Saha
... For the Petitioners**

**Mr. Anirban Sarkar
... For the Respondent No. 1**

Affidavit of service filed on behalf of the petitioners is taken on record.

None appears for the respondent Nos. 2 and 3 despite service.

Mr. Pantu Deb Roy who is present in Court is requested to represent the respondent Nos. 2 and 3 in this matter along with a junior of his choice. The appointment of Mr. Deb Roy, learned advocate and Mr. Subrata Guha Biswas, learned advocate be regularised by the office of the learned Legal Remembrancer. Copy of the writ petition along with annexure thereto be served upon Mr. Deb Roy in course of the day.

It is contended on behalf of the petitioners that out of 9 decimals of land owned by the predecessor in interest of the petitioners, 7.5 decimals of land were acquired by the State. The local authorities of Memari tried to encroach upon the unacquired portion of the property for which the petitioners approached the Land Acquisition Officer, Purba Bardhaman seeking demarcation of

the acquired portion of the property. By a letter issued on 23rd December, 2022 the Special Land Acquisition Officer, Purba Bardhaman requested the petitioners to contact the requiring body being the Regional Transport Officer, Purba Bardhaman for demarcation of the acquired area since possession of the plot was delivered to the requiring body long ago. The petitioners seek to submit a comprehensive representation before the requiring body being the third respondent herein and prays for direction upon the said respondent to consider the representation at the earliest.

Upon consideration of the submission made on behalf of the parties, the writ petition is disposed of with liberty to the petitioners to submit a comprehensive representation before the third respondent within two weeks from date. The third respondent is directed to consider and dispose of the representation within one month from the date of receipt thereof upon affording reasonable opportunity of hearing to all concerned including the petitioners, in accordance with law.

The decision taken by the authority shall be communicated to the petitioners within a week thereof.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)