

13.03.2024
SL.106, Ct.2
AJ.

**In the High Court at Calcutta
Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction**

WPA 430 of 2024

**Madan Das
-Vs-
The State of West Bengal & Ors.**

Mr. Subinay Dey,
Mr. Debanjan Das.
...for the petitioner.

Mr. Joyjit Chowdhury, Ld. A.A.G.,
Ms. Rima Sarkar.
...for the State.

Mr. Sudipto Kumar Majumdar,
Ld. DSGI,
Mr. Saptak Sarkar.
...for the Union of India.

The petitioner is alleging that his land though was acquired in case no. LAP/23/2005-2006 for construction of New Moynaguri to Jogighopa New Broad Gauge line but compensation has not yet been paid.

This Court by the order dated March 06, 2024 had directed the State to file a report.

Mr. Joyjit Chowdhury, learned Additional Advocate General files such report, let it be kept with the record.

It appears from the said report that the requiring body, the Railways has paid the compensation amount in terms of the award passed in the said Acquisition Case and some of the beneficiaries of the said award have received their compensation.

Mr. Chowdhury submits that at first, it is required to be ascertained whether the petitioner is one of the beneficiaries of the said award who has not received the compensation amount.

Mr. Dey, learned Advocate for the petitioner prays for leave to file a comprehensive representation with the concerned authority detailing his claim.

The petitioner is directed to file such representation with the Special Land Acquisition collector, Cooch Behar, the respondent no.6 herein within a period of two weeks from date.

If such representation is filed within the said period, the respondent no.6 shall consider and dispose it of in accordance with law by the end of the month of June, 2024 after giving all concerned an opportunity of hearing.

W.P.A. 430 of 2024 is disposed of with the above terms without any order as to costs.

Since no affidavit has been invited, the allegations made in the writ petition are deemed to have been denied by the respondents.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)