

05.02.2025
Sl. No. 09
g.b.
Court No.07

W.P.A. 13 of 2012

Atal Chandra Giri
-Vs-
The State of West Bengal & Ors.

Mr. Amit Kr. Pan
.....For the Petitioner
Mr. Lalit Mohan Mahato
Mr. Prasanta Behari Mahato
.....For the State

In this writ petition the petitioner prayed for issuance of a Mandamus commanding the respondents to return possession of the lands in question to him and to pay him the rental compensation in respect of the said land in accordance with law.

The Special Land Acquisition Officer, 24 Parganas (South) being the 3rd respondent filed an affidavit in terms of the order dated 9th December, 2024. In the said affidavit it has been stated that the possession of the land was taken and delivered to the Deputy Director, ONGC on 13th March, 1984. It has been admitted in the said affidavit that ratification u/s 4(1a) of Act II of 1948 was not issued. It has been further admitted that the case was also not revived under Section 9(3A) of the Land Acquisition (W. B. Amendment) Act, 1997.

It has been further stated in the said affidavit that the Land Acquisition Department has agreed to purchase the land in question measuring an area of 0.16 acres and

0.21 acres respectively from plot of lands 791/982 of Mouza – Kashinagar, J. L. No. 09, Police Station – Kakdwip, District – South 24 Parganas directly from the petitioner in terms of Memo No.756-LP/IA-03/14 (Pt-II) dated February 25, 2016 and minimum four months time is required to conclude the entire proceeding.

The said affidavit has been duly served upon the learned advocate for the petitioner.

Mr. Pan, learned advocate, upon taking instruction from his client, submits that the petitioner has also agreed to the aforesaid proposal of the State.

In view thereof WPA 13 of 2012 is disposed of by directing the respondent authorities to conclude the proceedings including payment in terms of the aforesaid Memo by the end of June 30, 2025.

There shall be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be given to the parties after completion of all necessary formalities.

(Hiranmay Bhattacharyya, J.)