

S/L 9
12.06.2025
Court. No. 19
Sourav

WPA 1268 of 2024

Goutam Kumar Gole
Vs.
The State of West Bengal & Ors.

Mr. Bibekananda Tripathy
Mr. Kaustav Chatterjee

...for the petitioner.

Mr. Supratim Dhar, Sr. Adv.
Mr. Amrita Lal Chatterjee

...for the State.

1. The affidavit-of-service as filed on behalf of the writ petitioner is taken on record.
2. By filing the instant writ petition, the writ petitioner has prayed for issuance of appropriate writ/writs against the respondents/authorities, more specifically, against the respondent no. 6/authority for quashing the memo dated 17.10.2023 whereby and whereunder the said authority expressly held that there is no scope of any benefit of straightway employment to the writ petitioner under land loser category.
3. This Court has heard Mr. Chatterjee, learned advocate appearing on behalf of the writ petitioner and Mr. Dhar, learned Senior Advocate appearing on behalf of the respondent/State.
4. On careful consideration of the entire materials as placed before this Court, it reveals that it is the grievance of the writ petitioner that in connection with L.A. Case No. 23/1978-79, the writ petitioner's land was acquired, however, the writ petitioner was not enrolled as an exempted category as a member of the

land loser family pursuant to the Labour Department, Government of West Bengal, notification no. 301-EMP/1M/10/2000 dated 21.08.2002.

5. It is the further grievance of the writ petitioner that though the writ petitioner has nominated his son, Mr. Dwaipayan Gole for getting such employment in the exempted category as a land loser such application was also turned down by the respondent no. 6/authority.
6. This Court has perused the relevant notification no. 301-EMP/1M/10/2000 and 303-EMP/1M/10/2000 dated 21.08.2002.
7. This Court considers that in terms of the said notification, the respondent no. 6/authority is not the appropriate authority to enroll a person as a land loser under the exempted category.
8. In view of such, this Court while disposing the instant writ petition directs the respondent no. 3/authority to treat a copy of the instant writ petition as a representation of the writ petitioner. The respondent no. 3/authority is further directed to give a chance of hearing to the writ petitioner and/or his authorized representative on the basis of such representation and shall pass a reasoned order in accordance with law soon thereafter and shall communicate the same to the writ petitioner preferably by mail, if the mail details of the writ petitioner is provided to him at the time of hearing.
9. The entire exercise as indicated in the foregoing paragraphs is to be completed within 90 working days

from the date of communication of the server copy of this order.

10. The time limit as fixed by this Court is mandatory and preemptory.
11. Liberty is given to the learned advocate on record for the writ petitioner to communicate the server copy of this order along with a copy of the instant writ petition to the respondent no. 3/authority for his due compliance.
12. The respondent no. 3/authority is hereby directed to act on the server copy of this order.
13. Before parting with, it is further directed that in the event while passing the said reasoned order the respondent no. 3/authority finds sufficient merit in the representation of the writ petitioner, he shall make recommendation for enrolling the nominated family member of the writ petitioner under the exempted category as land loser in the Employment Exchange with effect from the date of actual acquisition proceeding.
14. With the aforementioned observation, the instant writ petition being **WPA 1268 of 2024** is disposed of.
15. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Partha Sarathi Sen, J.)