

Court No. 2
12.02.2025
(Item No. 30)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side
W.P.A. 1790 of 2025

Mohammad Ansar Ali @ Md. Ansar Ali
VS
The State of West Bengal & Ors.

Ms. Usha Maity
Mr. Gourav Kumar
.... For the petitioner
Mr. Soumitra Bandyopadhyay
Ms. Suchana Banerjee
.... For the State

Affidavit-of-service, filed in Court today, is taken on record.

Ms. Usha Maity, learned counsel appears for the petitioner through virtual mode with Mr. Gourav Kumar, learned advocate.

Mr. Soumitra Bandyopadhyay, learned senior advocate with Ms. Suchana Banerjee, learned advocate appear for respondent Nos. 1 to 7.

The grievance of the petitioner is that though the land of the petitioner has been acquired under **L.A. case No. 11 of 2007-08** compensation has not been paid in respect of the entire land acquired. Compensation was paid only in respect of **22 decimals** of land though the petitioner claims there was a wrong recording with regard to the quantum of land and the same should be **33.5 decimals** of land. Ventilating his grievance the petitioner preferred an

appeal under **Section 54 of the West Bengal Land Reforms Act, 1955**. The appellate authority disposed of the appeal by its order dated **May 4, 2021** at **page 73** to the writ petition directing the petitioner being the appellant therein to move before the appropriate authority for redressal of his grievance.

Accordingly, the petitioner through its letter dated **October 17, 2024, annexure P-14** at **page 88** to the writ petition applied before the respondent No. 3 but the issue has not yet been disposed of.

In view of the above, respondent No. 3 upon issuing a prior notice of hearing of at least seven days to the petitioner and other interested parties, if any, and upon giving them an opportunity of hearing shall dispose of the said application of the petitioner dated **October 17, 2024, annexure P-14** at **page 88** to the writ petition by passing a reasoned order in accordance with law.

The entire exercise shall be carried out and completed by the respondent No. 3 positively within a period of **eight weeks** from the date of communication of this order. The reasoned order then shall be communicated to the petitioner and other interested parties, if any, positively within a further period of **two weeks** from the date of the said reasoned order to be passed.

It is made clear that this Court has not gone into the merits of the case of the petitioner and the petitioner and other interested parties, if any, shall be at liberty to urge whatever points they wish to urge on their claim for compensation on acquired land by relying upon whatever records and documents they wish to rely upon before the respondent No. 3.

If the reasoned order goes in favour of the petitioner and other interested parties, if any, the respondent No. 3 and any other appropriate State Authority shall give an immediate effect thereto by taking all necessary and consequential steps in accordance with law. The compensation shall be calculated and determined strictly in accordance with law.

It is further made clear that this order shall not create any right or equity in favour of the petitioner and other interested parties, if any, if they do not succeed to their respective claims before the respondent No. 3 strictly in accordance with law.

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

With the above observations and directions, this writ petition, **WPA 1790 of 2025** stands **disposed of**, without any order as to costs.

Photostat certified copy of this order, if applied
for, be furnished expeditiously.

(Aniruddha Roy, J.)