

12.02.2025
Item No. 31
Crt.No.02
Moumita

WPA 1867 of 2025

Lilabati Sardar & Ors.

-vs-

The State of West Bengal & Ors.

Mr. Tapash K. Bhattacharya

Mr. Aviroop Bhattacharya

.... For the petitioners.

Mr. Susanta Pal

Ms. Ananya Neogi

.....For the State

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

This order shall be effected subject to payment of sixteen individual Court Fees since, one has already been paid.

The petitioners claim to be owners of chunk of lands as more fully and particularly described in ***paragraph 2*** to the writ petition under the Land Acquisition Case no. ***LA-(ii)/45 (5) of 1973-74*** the land of the petitioners acquired for public purpose by the state but no compensation has been paid to the petitioners. The petitioners submitted representations ***at pages 38 to 44*** to the writ petition that the same have not yet been disposed of.

Mr. Tapas K. Bhattacharya, Learned advocate appears for the petitioners.

Mr. Susanta Pal, learned Advocate appears for the State.

In view of the above, the **respondent no.3** upon issuing a prior notice of hearing of at least **ten days** to the petitioners and other interested parties, if any, and upon giving, them an opportunity of hearing shall dispose of the said representations **at pages 38 to 44** as referred to above, by passing a reasoned order in accordance with law.

The entire exercise shall be carried out and completed by the jurisdictional **respondent no.3** positively within a period of **eight weeks** from the date of communication of this order. The reasoned order shall be communicated to the petitioners and other interested parties, if any, positively within a 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 claim of the petitioners and the petitioners 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 jurisdictional ***respondent no. 3***.

If the reasoned order goes in favour of the petitioners and other interested parties, if any, the jurisdictional ***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 needless to mention that if the petitioners or other interested parties, if any, are found to have been paid the compensation already, they shall not be paid any further compensation.

It is further made clear that this order shall not create any right or equity in favour of the petitioners and other interested parties, if any, if they do not succeed to their respective claims 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 1867 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.)