

12.02.2025

Item No. 46

Crt.No.02

A.B.

WPA 2109 of 2025

Sk. Khoda Box & Ors.

-vs-

The State of West Bengal & Ors.

Mr. Partha Pratim Roy

Mr. Sarbananda Sanyal

Mr. Samrat Chakraborty

.... For the petitioners.

Mr. Supratim Dhar

Ms. Tuli Sinha

.... For the State

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

This order shall be effected upon payment of three numbers of Court Fees to be affixed by the petitioners. One has been paid the rest three shall be paid, subject to such condition, this order shall be effected.

Mr. Sarbananda Sanyal, Learned advocate appears for the petitioners.

The petitioners complain of that their land has been acquired long back but no compensation has yet been paid to the land-losers. The petitioners submitted representation dated **November 22, 2024, annexure p-3 at page-29** to the writ petition, but the same has not been considered.

The learned State counsel on instruction submits that against **R.S. Plot No. 6806 (P)** the quantum of land acquired was **0.22 acres** instead of **0.36 acres** as claimed by the petitioners.

In view of the above, the jurisdictional **Special Land Acquisition Collector** 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 representation dated **November 22, 2024**, 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 **Special Land Acquisition Collector** 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 **Special Land Acquisition Collector**.

If the reasoned order goes in favour of the petitioners and other interested parties, if any, the jurisdictional **Special Land Acquisition Collector** 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 2109 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.)