

Court No.2
19.03.2025

Item no. 27
b.r.

W.P.A. 4995 of 2025

Sri Sukdeb Das & Anr.
VS
Union of India & Ors.

Sk. Rejaul Alam
.... For the petitioners

Mr. Dhiraj Kumar Trivedi, Ld. DSG
Ms. Tanusree Ghosh
.... For the Resp. nos. 1 to 3.

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

Sk. Rejaul Alam, learned advocate appears for the petitioners.

Ms. Tanusree Ghosh, learned advocate led by Mr. Dhiraj Trivedi, learned Deputy Solicitor General and Senior Advocate appears for the respondent nos. 1 to 3.

The appearance of Ms. Tanusree Ghosh, learned advocate shall be regularized by the appropriate authority forthwith.

None appears for the rest of the respondents.

The sole grievance of the petitioners is that the representation of the petitioners dated **September 7, 2023, annexure P-2** at **pages 23 to 26** to the writ petition is kept pending for long.

In view of the above, the respondent Nos. 1 and/or 3 is directed upon issuing a prior hearing

notice of at least seven days to the petitioners and the other interested parties, if any, and after granting them an opportunity of hearing shall dispose of the said representation dated **September 7, 2023, annexure P-2** at **pages 23 to 26** to the writ petition by passing a reasoned order in accordance with law.

The entire exercise shall be carried out completed by the respondent No. 1 positively within a period of **six weeks** from the date of communication of this order. The reasoned order shall be communicated to the petitioners and the other interested parties, if any, within a further period of **one week** 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 claim of the petitioners and the other interested parties, if any, and they shall be at liberty to urge whatever points they wish to urge by relying upon whatever records and documents they wish to rely upon before the respondent No. 1.

In the event, the reasoned order goes in favour of the petitioners or any other interested parties, if any, then the respondent No. 1 and/or the appropriate other State authorities shall take all necessary and consequential steps for issuing land loser certificate and consequential payment of compensation payable to the petitioners and other interested parties, if any, in accordance with law

within a period of **three months** from the date of the said reasoned order to be passed.

In the event, the record shows that compensation has already been paid to the actual land loser then no further compensation to be paid to the petitioners and other interested parties, if any.

It is further made clear that, this order shall not create any right or equity in favour of the petitioners or in favour of the other interested parties, if any, if they do not succeed to their respective claim before the respondent No. 1 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 4995 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.)