

S/L 18
02.04.2025
Court. No. 236
Sourav

WPA 6354 of 2025

**Stalwart Construction & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Sandip Ray

...for the petitioners.

*Mr. Chandi Charan De, Ld. AGP
Mr. Anirban Sarkar*

...for the State.

1. Affidavit-of-service as filed in Court today on behalf of the writ petitioner is taken on record.
2. Mr. Ray, learned advocate appearing on behalf of the writ petitioner at the very outset submits before this Court that the writ petitioner is not challenging the land acquisition proceeding in connection with L.A. Case No. LAII/14 of 88-89 in respect of L.R. Plot Nos. 791, 793, 193, 794 in Mouza – Sapamirjanagar.
3. It is submitted by Mr. Ray that after purchase of a portion of property in the aforementioned LR Plot Nos. 791, 793, 193, 794 by a registered deed of conveyance dated 29th October, 2021, the writ petitioner submitted a RTI application with the SPIO, Housing Department, Government of West Bengal and in reply thereto, it has been informed to the writ petitioner by the SPIO, Housing Department, Government of West Bengal that in the Housing Department no information is available as to whether the land under consideration was awarded any compensation and/or the plot in question

as has been purchased by the writ petitioner has been cancelled from the acquisition.

4. It is submitted that soon thereafter, the writ petitioner under cover of its letter dated 07.02.2025 addressed to the respondent nos. 3 and 5 requested them to inform the writ petitioner with regard to the exact status of the plot of land as has been purchased by the writ petitioner in LR Plot Nos. 791, 793, 193, 794 by a registered deed of conveyance dated 29th October, 2022 but the respondent nos. 3 and 5/authority did not pay any heed to such request.
5. Mr. Mahata, learned advocate appearing on behalf of the respondent/State and its functionaries i.e., respondent nos. 1 to 5 submits before this Court that since the writ petitioner purchased his property in the aforementioned plot after completion of the land acquisition process in respect of the self-same plot of land, no title passes in favour of the writ petitioner and, therefore, the instant writ petitioner has got no locus to file the instant writ petition.
6. On careful consideration of the entire materials as placed before this Court and keeping in mind that the writ petitioner is not challenging the said land acquisition proceeding, this Court directs the respondent no. 3 to consider the representation of the writ petitioner dated 07.02.2025 in accordance with law and to pass a reasoned order after giving an

opportunity of hearing to the writ petitioner and/or his authorized representative.

7. It is made clear that the entire process as indicated in the foregoing paragraph is to be completed within three months from the date of communication of this order.
8. Liberty is given to the learned advocate for the writ petitioner to communicate the server copy of this order to the respondent no. 3 forthwith.
9. The respondent no. 3 is directed to act on the server copy of this order.
10. Before parting with, it is made clear that this Court has not entered into the merits of the instant writ petition.
11. With the aforementioned observations, the instant writ petition being **WPA 6354 of 2025** is disposed of.
12. 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.)