

July 3, 2025
Sl. No.7
Court No.19
s.biswas

WPA 7078 of 2025

Manas Paul

vs.

The State of West Bengal and others

Mr. Dipayan Kundu

... for the petitioner

Mr. Chandi Charan De, AGP

Mr. Anirban Sarkar

... for the State

1. The affidavit of service as filed today on behalf of the writ petitioner is taken on record.
2. Mr. De, learned Additional Government Pleader appearing on behalf of the State and its functionaries has submitted a status report dated 03.06.2025 as prepared by the respondent no.4/authority after serving a copy of the same to the learned for the writ petitioner. The status report dated 03.06.2025 as submitted on behalf of the State is taken on record.
3. By filing the instant writ petition, the writ petitioner has prayed for issuance of appropriate writ/writs against the respondent authorities for relinquishing his land particulars of which has been mentioned in paragraph 4 of the instant writ petition. In course of hearing, Mr. Kundu, learned advocate appearing on behalf of the writ petitioner at the very outset draws attention of this court to page nos.27 to 52 of the instant writ petition being a copy of the registered deed of conveyance dated 26.10.2018 as has been

registered on 29.10.2018. It is submitted by Mr. Kundu that upon execution of the said registered deed, the writ petitioner became the owner of the portion of the relevant plot nos.112 and 113, which is the subject matter of the instant writ petition.

4. It is submitted further that from page no.54 of the instant writ petition being a copy of declaration dated 22.03.2010 as published under Section 6 of Act I of 1894, it would reveal that the aforementioned two plot nos.112 and 113 were subject matter of land acquisition.
5. It is further submitted that from page no.62 of the instant writ petition, it would reveal that pursuant to such declaration that respondent authorities have taken possession of the aforementioned two plots of land by issuing a certificate of possession.
6. At this juncture, Mr. Kundu draws attention of this court to page 58 of the instant writ petition being a copy of the communication dated 24.06.2015 between the functionaries of the KMDA. It is submitted by Mr. Kundu that the said letter was received by his client by virtue of an information sought for under RTI Act. It is further submitted by Mr. Kundu that from the said communication it would reveal that the relevant

plot nos.112 and 113 are stated to be not acquired for KMDA project.

7. Per contra, Mr. De, learned Additional Government Pleader in course of his submission places reliance upon the report as submitted today. It is submitted by Mr. De that on perusal of the status report it would reveal that after publication of the declaration on 22.03.2010 in the official gazette, award was also published by the L.A. Collector on 11.05.2010 and the same was disbursed to the land loser.
8. It is further submitted by Mr. De that from the report it would reveal further that the possession of the acquired land was delivered to the requiring body of the KMDA authority.
9. On careful consideration of the entire materials as placed before this court and after hearing the learned advocates for the contending parties, this court finds no cogent reason to disbelieve the report as submitted by the respondent no.4/authority. It appears to this court that sufficient materials have been placed before this court that the relevant plots of land were the subject matter of acquisition in L.A. proceeding for which not only declaration under Section 6 of the Act I of 1894 has been published but also award has also been declared and compensation has also been disbursed. Sufficient materials

have also been placed before this court that acquired land was also given to the requiring body. Such being the position, this court considers that the writ petitioner is not entitled to get any relief, as prayed for.

10. With the aforementioned observation, the instant writ petition is dismissed.

11. There shall be no orders as to costs.

12. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all necessary formalities.

(Partha Sarathi Sen, J.)