

S/L 9
08.05.2025
Court. No. 19
Sourav

WPA 7678 of 2024

**Dibendu Ballav & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Arun Naskar

...for the petitioners.

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

...for the State.

1. The affidavit-of-service as filed in Court today is taken on record.
2. Leave is granted to the learned advocate on record to add Special Land Acquisition Officer, Hooghly as respondent no. 3 in the instant writ petition by making necessary insertion and/or correction in the cause title positively in course of this day in Court.
3. At the time of hearing, learned advocate for the writ petitioners at the very outset draws attention of this Court to Page No. 11 of the instant writ petition being a copy of the representation dated 13.12.2023 as written by the writ petitioner addressed to the respondent no. 1/authority. It is submitted that under cover of the said letter dated 13.12.2023, the writ petitioners alleged that a substantial portion of the writ petitioners' land situated at Sabek Plot No. 1794, L.R. Hal Dag No. 2829 of Mouza – Manoharpur under Police Station – Dankuni Coal Complex, P.O. – Dankuni Coal Complex, District – Hooghly was utilized for the purpose of construction of multi-storied building for Dankuni

Housing Complex without taking any steps for acquisition in accordance with law and without disbursing any adequate compensation to the writ petitioners. It is submitted that despite receipt of such letter, the respondent authorities did nothing and sat tight over the matter.

4. It is submitted on behalf of the writ petitioners that in view such inaction on the part of the respondent no. 1/authority, an appropriate writ may be issued commanding him to take appropriate steps for disbursement of adequate compensation to the writ petitioners.
5. In course of his submission, Mr. De, learned AGP appearing on behalf of the respondent/State and its functionaries submits before this Court that the added respondent no. 3 is the appropriate authority who can address this issue.
6. On careful consideration of the entire materials as placed before this Court and after hearing the learned advocates for the contending parties, this Court directs the added respondent no. 3 to obtain a field verification report from the jurisdictional BL & LRO. The said jurisdictional BL & LRO is also directed to make a field enquiry securing service of notice upon the writ petitioners and the representative of the Housing Department of the Government of West Bengal and shall submit a report of such field enquiry with the added respondent no. 3.

7. The added respondent no. 3 is hereby directed to consider the representation dated 13.12.2023 in accordance with law in the light of the report as would be obtained by him from the jurisdictional BL & LRO and he shall pass a reasoned order on such representation after giving due opportunity of hearing both to the writ petitioners and/or their legal representative as well as the legal representative of the Housing Department.
8. The added respondent no. 3 is further directed to pass a reasoned order soon thereafter and shall communicate the same to the writ petitioners as well as to the Housing Department preferably through mail, if the mail details of the writ petitioners and the Housing Department are provided to him at the time of hearing.
9. The added respondent no. 3 is hereby directed to act on the server copy of this order.
10. Liberty is given to the learned advocate on record to forward a server copy of this order along with a copy of the representation dated 13.12.2023 to the added respondent no. 3.
11. With the aforementioned observations, the instant writ petition being **WPA 7678 of 2024** 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.)