

Item No.27
08.07.2025
Court. No. 19
GB

W.P.A. 7999 of 2025

Binayak Ghosh & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Panchanan Hajra

...for the Petitioners.

*Mr. Ashim Kumar Ganguly,
Mr. Tarak Karan*

...for the State.

1. The affidavit-of-service as filed today on behalf of the writ petitioners is taken on record. On behalf of the respondent State a report dated 30.04.2025 is filed and the same is also taken on record.
2. It is the grievance of the writ petitioners that though the writ petitioners' land was requisitioned under the provisions of Act –II of 1948 but no acquisition has been done and even then the writ petitioners' land was not released and compensation was also not paid to the writ petitioners.
3. It is contended further that the writ petitioners communicated their grievance under cover of their letter dated June 10, 2024 to the respondent no.3, a copy of which has been annexed at page no.32 to 34 of the instant writ petition. It is submitted that despite receipt of such letter dated June 10, 2024 the respondent no.3 practically did nothing.
4. The learned advocate for the respondent State however contended that the property in question was requisitioned by L.A. Case No.1-38/1972-73 under the provisions of Act-II of 1948 and possession of the land

was taken on 05.02.1973. It is further submitted on behalf of the respondent State that the instant writ petitioners have approached this Court after a period of more than 50 years and the writ petitioners have not explained the delay and laches on their part.

5. Considering the entire materials as placed before this Court, this Court while disposing the instant writ petition this Court directs the respondent no.4 to consider the letter dated June 10, 2024 as addressed to the respondent no.3 as a representation of the writ petitioners and after giving an opportunity of hearing to the writ petitioners and/or their authorized representative shall pass a reasoned order and shall forthwith communicate the same to the writ petitioners preferably by email, if the mail details of the writ petitioners are provided to him at the time of hearing.
6. The entire exercise as indicated in the foregoing paragraph is to be completed within 60 working days from the date of communication of the server copy of this order.
7. Liberty is given to the learned advocate for the writ petitioners to forward a server copy of this order together with a copy of the letter dated June 10, 2024 as written by the writ petitioners to the respondent no.4.
8. The respondent no.4 is directed to act on the server copy of this order.

9. It is further directed that in the event the respondent no.4 finds sufficient merit in the representation dated June 10, 2024 as submitted by the writ petitioners he shall take appropriate steps soon thereafter for grant of substantial reliefs to the writ petitioners in accordance with law.
10. With the aforementioned observations the instant writ petition is disposed of.
11. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Partha Sarathi Sen, J.)