

S/L 5
17.04.2025
Court. No. 19
Suwayan

WPA 8766 of 2024

**Ehsanul Haque & Ors.
Vs.
The State of West Bengal & Ors.**

*Mr. Sufi Kamal
Ms. Shireen Hossain*

...for the petitioners.

*Mr. Chandi Charan De, AGP
Mrs. Reshma Chatterjee*

...for the State.

1. The affidavit-of-service as filed today is taken on record.
2. In the instant writ petition the writ petitioners are aggrieved with the order dated 01.03.2023 as passed by the respondent no. 4/authority being the Special Land Acquisition Officer (G), Howrah.
3. This Court has heard learned Advocate for the writ petitioners and Mr. De, learned A.G.P. appearing on behalf of the respondents/State and its functionaries.
4. On careful consideration of the order under challenge it reveals that the respondent no. 4 while passing the order found that the writ petitioners being the legal heirs of the recorded owners of the relevant plot failed to submit a copy of notice regarding prior acquisition by the Howrah Zilla Parisad for the purpose of construction of a metal road from Bakshi to Kulia. The respondent no. 4/authority further found that for the purpose of construction of the said metal road no land acquisition proceeding in the said Mouza took place. Accordingly, the respondent no. 4/authority held that

the writ petitioners are not entitled to get any compensation as prayed for.

5. On careful consideration of the entire materials as placed before this Court and after hearing the learned Advocates for the contending parties this Court also finds no material in the instant writ petition to substantiate at least *prima facie* that a portion of the land of the predecessor in interest of the writ petitioners has at all been acquired for the purpose of construction of the aforementioned metal road.
6. In considered view of this Court, the writ petitioners before the respondent no. 4/authority as well as before this Court has failed to make out any case for obtaining a favourable order for getting compensation on the pretext of acquisition of their land for the construction of the aforementioned metal road.
7. The writ petitioners have also miserably failed before this Court as well as before the respondent no. 4/authority to substantiate their contention by showing any notice of acquisition under the prevailing laws.
8. This Court thus holds that the instant writ petition is devoid of any merit and is thus dismissed.
9. There shall be, however, no order as to costs.
10. 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.)