

26.6. 2025
item No.7
n.b.
ct. no. 24

WPA 9788 of 2022

Sudeb Manna

Vs.

The State of West Bengal & ors.

Ms. Juin Chakraborty,
Ms. Shravani Chakraborty,
..... for the petitioner.

Mr. Susovan Sengupta,
Mr. Subir Pal,
.... For the State.

Mr. Rajat Dutta,
..... for the respondent No.7.

One Panchanan Manna(deceased) father of petitioner was the recorded owner of RS Plot No.144(LR 141) situated at Mouza Jala Biswanathpur, J. L. No.5 within the jurisdiction of Panchla P.S. in the District of Howrah. The said land was acquired by the Government. One indenture was executed between the Government of West Bengal and West Bengal Industrial Development Corporation Ltd. on December 17, 2012, by which the land was acquired by issuing specific notification and the Collector of Howrah District was given authority to make payment of compensation to the awardees, whose lands were acquired.

It is the contention of the petitioner that he, being the successor of the erstwhile recorded owner, never received any notice from the department as well as no compensation was made to him. Accordingly, he made a representation to the authority on March 4, 2022. The

respondent authority did not consider his representation. Hence this writ petition.

Learned counsel appearing on behalf of the State authority submits that Government has already acquired the land. Notification under Section 4 of the Land Acquisition Act has already been published. By virtue of said notice the land has already been vested to State. Collector of the Howrah District has made an enquiry and award has been made under Section 11 of the said Act. The compensation was already made to the awardees and the possession had already been taken by the Government of West Bengal free from all encumbrances.

It is the contention of the learned counsel for the State that the award has already been made all awardees. So, this writ petition has no merit to entertain.

Having heard learned counsel for the parties and considering the indenture made between the Government of West Bengal as well as the West Bengal Industrial Development Corporation Ltd. it appears to me that the land in question has already been vested to the State free from all encumbrances. Whether the petitioner or his predecessor has actually received the compensation or not has to be determined by the concerned collector. It appears that the petitioner has made a representation to the Collector, respondent no. 6

of the instant writ petition. No decision has been taken by the respondent no.6 on the basis of his representation. Hence, I find it necessary to pass a necessary direction upon the respondent no.6 to dispose of the representation of the petitioner within a time bound manner.

Accordingly, the instant writ petition is disposed of directing the District Magistrate, Howrah to dispose of the representation of the petitioner(annexture P-5) dated March 4, 2022 within three weeks from the date of receiving of the copy of this order after giving an opportunity of being heard to the petitioner.

The respondent no.6 shall intimate the decision to the petitioner within two weeks thereafter.

It is clarified that this Court has not entered into the merit of this matter. The respondent no.6 shall dispose of the representation according to law without being influenced by any observation of this Court.

Since no affidavit has been exchanged between the parties, the allegation made in the writ petition shall be deemed to have been not admitted.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Subhendu Samanta, J.)

