

S/L 17
11.09.2025
Court. No. 19
Suvayan

WPA 10522 of 2025

**Sri Sukumar Das
Vs.
The State of West Bengal & Ors.**

Mr. Syed Shamsul Arefin

...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. At the time of hearing, Mr. Arefin, learned Advocate appearing on behalf of the writ petitioner draws attention of this Court to paragraph no. 2 of the instant writ petition. It is submitted by Mr. Arefin that it is the specific case of the writ petitioner that the present writ petitioner is the absolute owner of 6 decimals of land in Plot no. 713, Mouza – Khurigachi, J.L. no. 21 in District – South 24 Parganas.
3. At this juncture, Mr. Arefin took me to page no. 47 of the instant writ petition being a copy of the report dated 04.02.2025 as prepared by the Revenue Inspector, Kamrabad G.P., B.L. & L.R.O., Sonarpur, South 24 Parganas. It is submitted by Mr. Arefin that from the said report dated 04.02.2025 it would reveal that the said Revenue Inspector on perusal of the relevant land acquisition map came to a finding that L.R. plot no. 713 was acquired in favour of Bhangore Highway Section P.W.D. (Roads) Directorate and the said P.W.D. (Roads)

Department has constructed a drain over such acquired land though writ petitioner's recorded portion was not affected on account of such construction. It is submitted by Mr. Arefin that in the event the entire Plot no. 713 was acquired the writ petitioner being the owner of 6 decimals of self-same land is entitled to get compensation. It is thus submitted by Mr. Arefin that appropriate relief/reliefs may be granted to the writ petitioner in accordance with the prayers made in the instant writ petition.

4. *Per contra*, Mr. De, learned A.G.P. appearing on behalf of the respondents/State contended that there cannot be any acquisition without payment of compensation as wrongly claimed by the writ petitioner.
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 considers that the subject matter of dispute can very well be addressed by the respondent no. 5/authority.
6. In view of such, while disposing the instant writ petition this Court directs the respondent no. 5/authority to consider a copy of the instant writ petition as a representation of the writ petitioner and the said respondent no. 5 is further directed to give a fair chance of hearing to the writ petitioner and/or his authorized representative and shall pass a reasoned order on such representation of the writ petitioner and shall forthwith communicate the same to the writ petitioner preferably

by email, if the email detail of the writ petitioner is provided to him at the time of hearing.

7. The entire exercise as indicated in the foregoing paragraph is to be completed by the respondent no. 5/authority within a period of 60 working days from the date of communication of the server copy of this order.
8. Liberty is given to the learned Advocate-on-Record for the writ petitioner to communicate the server copy of this order along with a copy of the instant writ petition together with all its annexures to the respondent no. 5/authority.
9. The respondent no. 5/authority is hereby directed to act on the server copy of this order.
10. Before parting with it is further directed that while passing the reasoned order in the event the respondent no. 5 finds sufficient merit in the representation of the writ petitioner he shall forthwith take appropriate action for disbursement of adequate amount of compensation in favour of the writ petitioner, if he is so entitled.
11. The time limit as fixed by this Court is mandatory and peremptory.
12. With the aforementioned observation, the instant writ petition being WPA 10522 of 2025 is disposed of.
13. 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.)