

Item No.90
23.06.2025
Court. No. 19
GB

W.P.A. 11247 of 2025

Panchanan Dhara & Ors.
Vs.
The State of West Bengal & Ors.

*Mr. Mukteswar Maity,
Ms. Manika Sarkar*

...for the Petitioners.

Mr. Priyabrata Batabyal

...for the State.

1. The affidavit-of-service as filed today is taken on record.
2. Since none appears on behalf of the respondent State and since Mr. Priyabrata Batabyal, learned advocate who usually appears on behalf of the State is present in Court, this Court requests Mr. Batabyal to appear on behalf of the respondent State.
3. Learned Legal Remembrancer, Government of West Bengal is hereby directed to regularize the appointment of Mr. Priyabrata Batabyal in connection with the instant writ petition.
4. By filing the instant writ petition the writ petitioners have prayed for issuance of appropriate writ/writs against the respondent no.6 authority to consider the representation of the writ petitioners in accordance with law since according to the learned advocate for the writ petitioners, a substantial portion of the writ petitioners' land has been utilized by the respondent no.6 without initiating any process of acquisition and without disbursement of adequate compensation.

5. Mr. Batabyal, learned advocate appearing on behalf of the State submits before this Court that justice would be served if the respondent no.6 is directed to consider the representation in accordance with law.
6. In view of such, while disposing the instant writ petition, this Court directs the respondent no.6 to consider the representation of the writ petitioners as received on 30.09.2024 in accordance with law and after giving an opportunity of hearing to the writ petitioners and/or their authorized representative shall pass a reasoned order and to communicate the same preferably by mail, if the mail details of the writ petitioners are furnished to him at the time of hearing.
7. The entire exercise as indicated hereinabove is to be completed within 60 working days from the date of communication of the server copy of this order.
8. It is further ordered that in the event the respondent no.6 finds sufficient merit in the representation of the writ petitioners he shall take appropriate steps for demarcation of land soon thereafter, which is to be completed within 30 days from the date of passing of a favourable reasoned order, if there be any.
9. The time limit as fixed by this Court is mandatory and peremptory.
10. Liberty is given to the learned advocate on record for the writ petitioners to communicate the server copy of this order to the respondent no.6 for his information and immediate compliance.

11. The respondent no.6 is directed to act on the basis of the server copy of this order.
12. Department is directed to forward a copy of this order to the chamber of the Legal Remembarancer, Government of West Bengal, Writers' Building, Kolkata – 700001 for doing his needful.
13. With the aforementioned observation, the instant writ petition being WPA 11247 of 2025 is disposed of.
14. 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.)