

S/L 12
16.09.2025
Court. No. 19
Sourav

WPA 11635 of 2025

**Maksudur Rahaman
Vs.
The State of West Bengal & Ors.**

Mr. Sandip Ray

...for the petitioner.

*Mr. Lalit Mohan Mahata
Mr. Rudranil De*

...for the State.

*Mr. Satyajit Talukdar
Mr. Arindam Chatterjee*

...for the respondent no. 5.

1. The subject matter of the instant writ petition is the alleged non-consideration of the letter dated 07.02.2025 as submitted by the writ petitioner, a copy of which has been annexed at Page Nos. 39 and 40 of the instant writ petition by the respondents/authorities.
2. It is submitted by Mr. Ray, learned advocate appearing on behalf of the writ petitioner that from Page Nos. 17 to 34 of the instant writ petition, being a copy of the registered deed of conveyance dated 01.09.2014 as has been executed in favour of the writ petitioner, it would reveal that in R.S. Plot Nos. 114, 119 and 226 in Mouza-Paharpur, the writ petitioner has purchased certain portions of land.
3. Drawing attention to Page No. 35 of the instant writ petition, being a copy of the memo dated 04.01.2022 as issued by the Assistant Land Acquisition Officer, South 24 Parganas, it is submitted by Mr. Ray that on the basis of an information as sought for by the writ petitioner

under the RTI Act, 2005, it was intimated to the writ petitioner that R.S. Plot Nos. 105 and 106 are not found but C.S. Plot Nos. 105 and 106 are found to be involved in L.A. Case No. 11/72 of 65-66 for PHE.

4. It is thus submitted by Mr. Ray that in view of such discrepancy, the writ petitioner under cover of his representation dated 07.02.2025 requested the respondents/authorities to let him know about the status of the land as has been purchased by him.
5. Such contention is vehemently opposed by Mr. Mahata, learned advocate appearing on behalf of the respondent/State and Mr. Talukdar, learned advocate appearing on behalf of the K.M.D.A./authority.
6. Both Mr. Mahata and Mr. Talukdar contended that from the contents of the aforementioned representation dated 07.02.2025, it would reveal that it is within the knowledge of the writ petitioner that the aforementioned plots of land are under acquisition for a road scheme. It is argued by Mr. Mahata and Mr. Talukdar that the prayers of the instant writ petition do not match with the contents of the representation dated 07.02.2025.
7. On careful perusal of the entire materials as placed before this Court and after hearing the learned advocates for the contending parties, it reveals that from the copy of the memo dated 04.01.2022 as issued by the Assistant Land Acquisition Officer, South 24 Parganas, a confusion arises as to whether the writ petitioner's purchased land vide the deed of conveyance dated

01.09.2014 is at all involved in any land acquisition proceeding or not.

8. In view of such, this Court while disposing the instant writ petition directs the respondent no. 3/authority to consider the representation dated 07.02.2025 as submitted by the writ petitioner in accordance with law and after giving a chance of hearing to the writ petitioner shall pass a reasoned order indicating the actual status of the land in R.S. Plot Nos. 105 and 106 in Mouza – Paharpur to the writ petitioner positively within 60 working days from the date of communication of the server copy of this order.
9. Liberty is given to the learned advocate on record for the writ petitioner to communicate the server copy of this order to the respondent no. 3/authority forthwith.
10. The respondent no. 3/authority is hereby directed to act on the basis of the server copy of this order.
11. The time limit as fixed by this Court is mandatory and peremptory.
12. Before parting with, it is, however, made clear that since the affidavits have not been called for, the allegations as made in the instant writ petition are deemed to have been denied.
13. With the aforementioned observations, the instant writ petition being **WPA 11635 of 2025** is disposed of.
14. 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.)