

Court No. 2
03.01.2025

Item no.A-
70
b.r.

W.P.A. 17861 of 2024

Biswajit Talukdar
VS
The State of West Bengal & Ors.

Mr. Amit Kumar Pan
Mrs. Tanusri Santra
.... For the petitioner.

Mr. Chandi Charan De, Ld. AGP
Ms. Reshma Chatterjee
..... for the State.

Affidavit of service filed in Court today is taken on record.

Mrs. Tanusri Santra, learned advocate led by Mr. Amit Kumar Pan, learned counsel appears for the petitioner.

Mr. Chandi Charan De, learned Additional Government Pleader appears for the respondents.

Referring to the communication dated **August 12, 2021 annexure p-4 at page-27** to the writ petition, learned counsel for the petitioner submits that **R.S. Plot No. 441** which is the land of the petitioner was requisitioned but later a part of it had been derequisitioned on **February 19, 2015**. Learned counsel for the petitioner submits that no part of the said **R.S.**

Plot No. 441 despite being derequisitioned has been handed over to the petitioner. The land has not been utilized at all and is lying as such.

The petitioner submitted its representation dated **June 24, 2024, annexure P-5 at page-28** to the writ petition, the same has not yet been disposed of.

In view of the above, the **respondent no.3** upon issuing a prior hearing notice of at least **seven days** to the petitioner and after granting him an opportunity of hearing shall dispose of the said representation dated **June 24, 2024**, as referred to above by passing a reasoned order in accordance with law.

In course of the hearing, the respondent no.3 shall be free to take assistance of the respondent no.4, if necessary.

The entire exercise shall be carried out and completed by the **respondent No. 3** positively within a period of **six weeks** from the date of communication of this order and the reasoned order then shall be communicated to the petitioner positively within a further period of **two weeks** from the date of the said reasoned order to be passed.

If the reasoned order confirms the information furnished to the petitioner under the said communication dated **August 12, 2021** and

the gazette Notification dated **February 19, 2015** at **page-25** to the writ petition, the derequisitioned part of the land shall forthwith be made over to deliver possession to the petitioner upon verification of all necessary documents and records strictly in accordance with law but positively within a period of **six weeks** from the date of the said reasoned order to be passed.

It is made clear that this Court has not gone into the merits of this writ petition.

It is further made clear that this order shall not create any right or equity in favour of the petitioner, if the petitioner does not succeed to his claim strictly in accordance with law before the **respondent no.3**.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations and directions this writ petition **W.P.A. 17861 of 2024** stands **disposed of**, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)