

July 16, 2025
Sl. No.32
Court No.19
s.biswas

WPA 19619 of 2023

Dilip Kumar Mondal

vs.

The State of West Bengal and others

Mr. Partha Pratim Roy
Ms. Poulami Chakraborty
Mr. Samrat Chakraborty
Mr. Saikat Gayen

... for the petitioners

Mr. Soumitra Bandyopadhyay, Sr. Govt. Adv.
Ms. Suchana Banerjee

... for the State

1. The writ petitioners and the respondent State are represented by their respective learned advocates.
2. Ms. Chakraborty, learned advocate appearing for the petitioners and duly assisted by Mr. Roy, learned advocate, at the very outset draws attention of this court to page no.40 of the instant writ petition being a copy of the letter dated 17.07.2023 as submitted by the writ petitioners addressed to the different respondent authorities.
3. It is submitted by Ms. Chakraborty that from the materials as placed before this court in the instant writ petition, it would reveal that it is the grievance of the writ petitioners that pursuant to notice dated 19.04.1963 under Section 3(1) of the West Bengal Land (Requisition & Acquisition) Act, 1948 (hereinafter referred to as 'Act II of 1948'), the land of the writ petitioners particulars of which has been mentioned in paragraph 2 of the instant writ petition has been requisitioned and

subsequently on 10.08.1983 a notice under Section 4(1a) of the Act II of 1948 was also published in the gazette whereby and whereunder the acquisition process was completed and the land of the writ petitioners was vested to the State.

4. It is further submitted by Ms. Chakraborty that even after such vesting respondent authorities had taken no steps for compensating the writ petitioners.
5. It is further contended by Ms. Chakraborty that despite submission of the representation dated 17.07.2023, the respondent authorities; more specifically the respondent no.3 has not considered the said representation dated 17.07.2023 and he is practically sitting tight over the matter.
6. Mr. Bandyopadhyay, learned Senior Government Advocate advocate appearing for the respondent State and its instrumentalities, in his usual fairness submits before this court that the respondent authority may be directed to consider the representation dated 17.07.2023 as submitted by the writ petitioners, in accordance with law.
7. On careful consideration of the entire materials as placed before this court and after hearing the learned advocates for the contending parties, this

court while disposing of the instant writ petition directs the respondent no.3 authority to consider the representation dated 17.07.2023 as submitted by the writ petitioners, 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 forthwith communicate the same to the writ petitioners preferably through mail, if the email details of the writ petitioners are sent to him at the time of hearing.

8. The entire exercise as indicated in the foregoing paragraph is to be completed within 45 working days from the date of communication of the server copy of this order.
9. Liberty is given to the learned advocate on record of the writ petitioners to communicate the server copy of this order to the respondent no.3 authority.
10. The respondent no.3 authority is directed to act on the basis of the server copy of the order.
11. Before parting with, it is however made clear that the time limit as fixed by the court is mandatory and peremptory.
12. With the aforementioned observation, WPA 19619 of 2023 is disposed of.

13. Urgent photostat certified copy of this order if applied for, be supplied to the parties upon completion of all necessary formalities.

(Partha Sarathi Sen, J.)