

21.04.2026
rc/ct.no.15
Item No.01

RVW No. 243 of 2024
In
WPA No. 20567 of 2023
And
CAN No. 1 of 2024
Baidyanath Mallick & Ors.
Versus
State of West Bengal & Ors.

Mr. Sabyasachi Mukhopadhyay
Mr. Sarbajit Choudhuri
Mrs. Koushikee Banerjee
....for the petitioners/applicants

Mr. Ayan Banerjee
Mrs. Arpita Mondal
Mr. Ajeyo Chowdhury ...for the State

Since CAN No. 1 of 2024 has not been traced out in the file, learned counsel for the applicants/petitioners produces a photocopy of the application, which is treated as the original copy of the application till the original copy of the application is traced out. Let the said photocopy of the application be taken on record.

The petitioners/applicants seek review of the order passed on May 07, 2024 on the ground that the estimate for direct purchase of the land in question was not disclosed by the authority at the time of hearing of the writ petition. Upon subsequent disclosure of such estimate, the petitioners have found that it is much lower than the present market value of the property. Also, similarly placed

persons have been paid a much higher amount by the authority.

The order under review records as hereunder :-

“Placing reliance on the report submitted on behalf of the respondents, learned counsel for the respondents submits that the authority has agreed to pay compensation to the petitioners as per provision of the Direct Purchase Policy and estimate was prepared in this regard as per approval of the District Magistrate and Collector, Purba Bardhaman, which was approved by the Land & Land Reforms and Refugee Relief and Rehabilitation Department, Government of West Bengal. The approved estimate was communicated to the Additional Land Acquisition Officer, Purba Bardhaman and the requiring body has been requested for placement of fund for disbursal of the same in favour of the land losers including the petitioners.

Learned counsel for the respondents submits that upon placement of fund by the 5th respondent, the same shall be disbursed in favour of the petitioners by the 3rd respondent.

The petitioners agree to the said proposal.

In view of the above, this Court is inclined to hold that since the matter is awaiting placement of fund by the 5th respondent and disbursal of the same in favour of the petitioners by the 3rd respondent, nothing further remains

to be adjudicated in the present writ petition and the same is accordingly disposed of.”

After the order was passed, the estimated compensation was offered to the petitioners/applicants. The petitioners/applicants found it to be much lower than the market value of the property. Since the petitioners/applicants are aggrieved by the amount of compensation offered to them, this gives rise to a new and separate cause of action. The petitioners are at liberty to approach the appropriate forum for redressal of their grievance. The order dated May 07, 2024 does not call for review.

In view of the above, the application being RVW No. 243 of 2024 is dismissed.

The connected application being CAN No. 1 of 2024 is also disposed of.

There shall, however, be no order as to costs.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh,J)