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**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

W.P.A. 27998 of 2023

**Janaki Bala Das @ Janaki Das
Vs.
Union of India & ors.**

Sk. Rejaul Alam

... For the petitioner

Mr. S. N. Dutta

Mr. Saikat Karmakar

Mr. Ganga Prasad Mukherjee

... for the respondents

1. The affidavit of service as filed today on behalf of the writ petitioner is taken on record.
2. By filing the instant writ petition the writ petitioner has prayed for issuance of appropriate writ/writs against the respondent authorities for disbursement of compensation as well as for issuance of land loser certificate in favour of the writ petitioner on account of acquisition of land which originally belonged to the writ petitioner's father, Amulya Pramanik, since deceased and the particulars of said land has been mentioned in paragraph 2 of the instant writ petition.
3. In course of his submission, Mr. Alam, learned Advocate appearing on behalf of the writ petitioner at the very outset draws attention of this Court to paragraph 2 of the instant writ petition. It is submitted by Mr. Alam that it is the specific case of the writ petitioner that the said Amulya Pramanik died on 11.04.2009 leaving behind

three daughters and one son out of which the writ petitioner is one of the said daughters.

4. It is submitted by Mr. Alam that from page 24 of the writ petition it would reveal further that on 20.09.2023, the writ petitioner has submitted a representation with the General Manager, South Eastern Railway requesting him for disbursement of compensation and for issuance of land loser certificate of her. However, the respondent authorities practically did nothing and sat tight over the matter.

5. *Per contra*, Mr. Dutta, learned Advocate appearing on behalf of the respondent authorities submits before this Court that the instant writ petition is defective on account of non-joinder of necessary parties, inasmuch as, from the version of the writ petitioner it would reveal that the said Amulya Pramanik, since deceased, left behind two more daughters and one son, who should be made parties in the instant writ petition.

6. On careful consideration of the materials as placed before this Court and after hearing the learned Advocates for the contending parties, this Court while disposing the instant writ petition directs the respondent no.1-authority to consider the representation of the writ petitioner dated 20.09.2023 in accordance with law and after giving due notice to all the legal heirs of Amulya Pramanik, since deceased and after giving due opportunity of hearing to them shall pass a reasoned order and shall communicate

the same to the writ petitioner as well to the other legal heirs of Late Amulya Pramanik forthwith preferably by email, if the mail details of the writ petitioner and other legal heirs of Late Amulya Pramanik are provided to him at the time of hearing.

7. The entire exercise as indicated hereinabove is to be completed by respondent no.1 within 60 working days from the date of communication of server copy of this order.

8. It is further directed that the writ petitioner shall provide the names and particulars including addresses of the other legal heirs of deceased Amulya Pramanik to the respondent no.1 forthwith.

9. The respondent no.1 is directed to act on the server copy of this order.

10. Before parting with it is however made clear that in the event the respondent no.1 finds sufficient merit in the representation of the writ petitioner, he shall take consequential action soon thereafter.

11. With the aforesaid observations, the instant writ petition being WPA 27998 of 2023 is disposed of.

12. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

13. All parties are to act on the basis of server copy of this order.

(Partha Sarathi Sen, J.)