

Court No. 19
(265719)

06.01.2026
(AD 10)
(S. Banerjee)

WPA 28635 of 2025

Ashirbad Banerjee
Vs.
The State of West Bengal & Ors.

Mr. Mainak Ganguly
Mr. Shankar Mukherjee

...for the petitioner

Mr. Soumitra Bandyopadhyay
Mr. Srinath Singha Roy

...for the State

The petitioner claims that the property being LR Plot No. 1197, JL No. 216 within Mouza – Balihati, Block – Kharagpur-II in the district of Paschim Medinipur was recorded in the name of the deity Shee Shree Shamswan Kali Mata represented by its shebait. The petitioner states that the said property was acquired for the purpose of construction, strengthening and widening of National Highway 6 in terms of a statutory provision contained in the National Highways Act. The petitioner states that the compensation amount has also been duly paid. The principal grievance of the petitioner is that the land loser's certificate has not been issued for which the petitioner is unable to apply for employment under 'Exempted Category'. The petitioner submitted a

representation before the District Magistrate and Collector, Paschim Medinipur praying for issuance of the land loser's certificate. Since no action was taken on the basis of such representation, the petitioner demanded justice through the learned advocate's letter dated May 5, 2025 requesting the District Magistrate and Collector, Paschim Medinipur to take necessary steps for issuance of land loser's certificate in favour of the petitioner and to include his name in the combined list.

Mr. Ganguly, learned advocate appearing for the petitioner, submits that in spite of receipt of the said notice no decision has been communicated by the respondent authorities till date.

Affidavit of service filed in Court today, is taken on record. In spite of service none appears for the respondents.

Mr. Bandyopadhyay, learned Senior Government Advocate, who usually represents the State and is present in Court today is requested to appear in this matter along with a junior of his choice.

Let the appearance of Mr. Bandyopadhyay along with a junior of his choice be regularised by the concerned authority.

Since a notice demanding justice has been served upon the District Magistrate and Collector, Paschim Medinipur, such authority is duty-bound to communicate its decision with regard to the prayer made in the said letter demanding justice.

Mr. Bandyopadhyay, learned Senior Government Advocate, submits that the decision on the prayer made by the petitioner through the letter demanding justice dated May 5, 2025 shall be communicated to the petitioner within the time limit as may be fixed by this Court.

In the light of the submissions made by the learned advocates appearing for the respective parties, this writ petition stands disposed of by directing the District Magistrate and Collector, Paschim Medinipur, being the 4th respondent, to consider the representation of the petitioner through its learned advocate's letter dated May 5, 2025 and to dispose of the same by passing a reasoned order after affording an opportunity of hearing to the petitioner or his authorized representative, which shall be communicated to the petitioner as expeditiously as

possible but positively within a period of six weeks from the date of receipt of a server copy of this order along with a copy of the letter dated May 5, 2025. In the event the said respondent feels that some documents or records are necessary for taking a decision, it will be open to such respondent authority to call upon the petitioner to produce the necessary documents/records. If such a request is made, the petitioner shall be obliged to comply with the same.

There shall be no order as to costs.

(Hiranmay Bhattacharyya, J.)