

D/L- 7
07/01/2026
Ct. No.-19
Aritra

WPA 29404 of 2025

**Md. Atiur Rahaman
Vs.
The State of West Bengal & Ors.**

Ms. Khushi Mollick

....for the petitioner

Mr. Chandi Charan De, AGP
Ms. Chandana Ghosh

....for the State

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

The petitioner claims that his father was the owner of plot Nos.630 and 631, J.L. No.115 under Mouza-Tap Pratappur in the district of Malda measuring about 4 decimals. Petitioner claims that the aforesaid property was acquired for the purpose of rural water supply project in connection with L.A. Case No.36/79-80. Petitioner submitted a representation dated July 17, 2012 before the District Magistrate, Malda praying for enlistment of his name in the list of eligible persons under land loser category and for issuance of the land loser certificate. The petitioner also submitted a representation before the Superintending Engineering, Public Health Engineer Directorate, North Bengal, Circle-II, being the respondent No.7 praying for appointment as a land loser.

The learned advocate appearing for the petitioner submits that in spite of receipt of several representations,

no steps have been taken by the respondent authorities either to enlist the name of the petitioner in the list of eligible persons under land loser category and for issuance of the land loser certificate and/or for giving any appointment to the petitioner.

Mr. De, learned Additional Government Pleader submits that the decision with regard to the prayer of the petitioner for enlistment of his name in the category of land loser shall be taken and 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 for the respective parties, WPA 29404 of 2025 stands disposed of by directing the District Magistrate, Malda, being the respondent No.2 to consider the representation of the petitioner praying for enlistment under land loser category, which is annexed at page 18 of the writ petition and was received by the Office of the said respondent on July 17, 2012 and to dispose of the same by passing a reasoned order which shall be communicated to the petitioner immediately thereafter. The entire exercise shall be completed as expeditiously as possible but positively by the end of February, 2026.

It is however, made clear that this Court has not gone into the merits of the claim made in the said representation and all points are kept open to be decided by such authority. In case the said respondent authority

contemplates any adverse decision on the representation, an opportunity of hearing shall be afforded to the petitioner or his authorised representative by the respondent No.2.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Hiranmay Bhattacharyya, J.)