

WP(C) 1649/2009

BEFORE

THE HON'BLE MR. JUSTICE B.K. SHARMA

Heard Mr. P. Upadhyay, learned counsel for the petitioners as well as Mr. B.J. Ghosh, learned State Counsel. I have also heard Ms. R. Deka, learned Standing Counsel, PWD.

Although the writ petition was filed on 24.4.2009 and repeated adjournments have been granted to the learned counsel representing the respondents, they had chosen not to file counter affidavit. Mr. B.J. Ghosh, learned State Counsel, has produced the letter dated 19.12.2012 addressed to him by the Additional Deputy Commissioner, Kamrup (M) stating therein that no formal request has been received from the requiring department for acquisition of the petitioners land. The letter further states that no land acquisition case has been initiated.

The case of the petitioner is that his land measuring 13 lechas has been made use of by PWD for widening the road without following the acquisition procedure laid down in L.A. Act, 1894. Although, the petitioner demanded compensation, but the same did not yield any result.

In view of the above, this writ petition is disposed of directing the respondents, more particularly, the respondent No. 3 to take on record the grievance of the petitioner and upon examination, pass appropriate order as expeditiously as possible, but at any rate, not later than 28.2.2013.