

**WPA 28981 of 2024**

**Anukul Maity & Ors.**  
**Vs.**  
**The State of West Bengal & Ors.**

*Mr. Anindya Sundar Das  
Mr. Shaunak Ghosh  
Ms. Suva Gayen  
Ms. Paramita Mondal  
Mr. Suman Halder*

*...for the petitioners.*

*Mr. Chandi Charan De, Ld. AGP  
Mr. Anirban Sarkar*

*...for the State.*

**In Re: WPA 28981 of 2024**

1. Affidavit-of-service, as filed, be kept on record.
2. The writ petitioners and the respondent State and its instrumentalities are represented by their respective counsels.
3. At the time of hearing Mr. Ghosh, learned counsel appearing on behalf of the writ petitioners submitted before this Court that the writ petitioners are the absolute owners of the property, particulars of which, has been mentioned of the paragraph no. 2 of the instant writ petition.
4. It is submitted by Mr. Ghosh that it is the grievance of the writ petitioners that without initiating any process of acquisition and without disbursing any compensation the respondent authorities have utilized the

aforementioned land of the writ petitioners for the purpose of construction of an embankment of a nearby river.

5. It is submitted that on 26<sup>th</sup> September, 2024 the writ petitioners submitted a representation with the respondent authorities, a copy of which has been annexed at page no. 16 to 18 of the instant writ petition.
6. It is further submitted by Mr. Ghosh that despite submission of such representation the respondent authorities took no steps whatsoever and they are practically sitting idle over the matter.
7. Mr. Dey, learned additional government pleader appearing for the respondent State and its instrumentalities in his usual fairness submits before this Court that the respondent No. 4 authority may be directed to consider the representation of the writ petition in accordance with law after obtaining a field verification report from the respondent no. 8 authority.
8. On careful consideration of the entire materials as placed before this Court and after hearing the learned counsels of the contending parties this Court while disposing the instant writ petition directs the respondent no. 8 authority to make field verification either personally or through his authorized personnel after securing prior service of notice upon the writ petitioners.
9. The respondent no. 8 is further directed to obtain a report of such field verification and shall provide a copy of the same to the writ petitioners. The respondent no. 8

authority shall thereafter submit such report to the respondent no. 4 authority.

10. The respondent no. 4 authority on receipt of such report shall consider the representation dated 26<sup>th</sup> September, 2024 in the light of the report as would be submitted by the respondent no. 8 and after giving due opportunity of hearing to the writ petitioners and/or their authorized representative shall pass a reasoned order and shall forthwith communicate the same to the writ petitioners preferably by email, if the email details of the writ petitioners are provided to him at the time of hearing.
11. Before parting with it is made clear that the entire exercise as indicated hereinabove including the submission of report by the respondent no. 8 authority to the respondent no. 4 authority is to be completed within sixty working days from the date of communication of the server copy of this order.
12. It is further made clear that the respondent no. 4 shall pass the reasoned order as indicated hereinabove within 180 working days from the date of receipt of the report from the respondent no. 8 authority.
13. Liberty is given to the learned counsel on record of the instant writ petition to communicate the server copies of this order to the respondent no. 4 and respondent no. 8 authorities forthwith.
14. Respondent no. 4 and respondent no. 8 authorities are directed to act on the server copies of this order.
15. The time limit as fixed by this Court are mandatory and preemtory.

16. With the above observation the instant writ petition is disposed of.

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

18. Urgent certified photocopy of this order, if applied for, be supplied as expeditiously as possible.

**(Partha Sarathi Sen, J.)**