

Money Execution No.641 of 2014

Order No.60, dt. 04.11.2022:

Today is fixed for filing calculation sheet in terms of judgment and decree by the L.A. authority.

Parties are present; officers from the L.A. authority are present who argued the calculation sheet is on the basis of judgment and decree specially referring to Section 23 (2) of the Act and the officers also argued that the direction in the judgment was to calculate in terms of above Section. It is the paradox of the case that both the Ld. G.P. as well as the office have misinterpreted the word 'land' which is known to the department who have been defined in defining clause of the Act i.e. Section 3 A. And the Section specifically comprised in the section of land to everything permanently fastened on the land. The department has not taken into consideration the valuation in enhanced rate for the structure standing on the land acquisitioned. Hence the judicial pen is required to direct specifically for considering the value of the structure standing on the day of acquisition and submit the calculation sheet within a period of 15 days by officers' personal appearance.

Fix 23.11.2022 for calculation sheet in terms of this order and appearance of the officers.

Judge, L.A. Tribunal, Howrah