

02.12.2024

Item No. 15

Crt.No. 2

b.r.

WPA 20967 of 2023

Dukha Bhanja Garai & Ors.
-vs-
Damodar Valley Corporation & Ors.

Mr. Akash Dutta
..... for the petitioners.

Mr. Ayan Banerjee
Ms. Mousumi Banerjee
.... For the State-Resp. 5 to 9.

Mr. Subir Pal
... for the Resp. nos. 1 to 4.

Mr. Akash Dutta, learned advocate appears for the petitioners.

Mr. Ayan Banerjee, learned State counsel appears respondent nos. 5 to 9.

Mr. Subir Pal, learned counsel appears for the respondent nos. 1 to 4.

The petitioners claim an alleged pending compensation in respect of their respective plots of land on the ground that in view of the Thermal Project being constructed on the adjacent plots, the fly ashes were kept dumped on the respective lands of the petitioners, as a result the character of the petitioners' lands are changed and no more cultivable, hence compensation was claimed by the petitioners.

Both the learned counsel for the respondents submit that since the petitioners till date failed to provide their respective plot numbers and plot details, it is difficult for the respondents to ascertain the correctness of the allegations made in the writ petition.

In view of the above, the petitioners shall provide their respective land details with the plot numbers before the said two sets of respondents represented by the learned counsel as recorded above positively within **January 20, 2025**.

Upon receiving the said details and particulars of lands both the said two sets of respondents shall file their reports in the form of affidavits in the light of the allegations made in the writ petition and by disclosing the relevant records and materials in support of their contentions. Such report shall be filed on or before the **February 20, 2025** upon copies being furnished to Mr. Akash Dutta, learned counsel appearing for the petitioners.

The petitioners shall be at liberty to file their exception in the form of affidavit on or before **February 27, 2025**.

The writ petition shall appear under the heading **“Hearing (Land Matters)”** in the **Combined Monthly List of March, 2025**.

This order shall be effected and will assume force subject payment of individual Court Fees by all the

petitioners except what has already been paid. However, this direction shall not preclude the two sets of respondents as mentioned above to proceed to prepare their reports in the form affidavits and to make it ready as scheduled above.

(Aniruddha Roy, J.)