

30.01.2023
rc/ct.no.10
Item No.63

WPA No. 22225 of 2022

Mr. Tanmoy Mukherjee
Mr. Souvik Das
Mr. K.R.Ahmed
Mr. Rudranil Das ...for the petitioner

None appears for the State-respondents.

Heard learned counsel appearing for the petitioner.

It is not in dispute that though the land of the petitioner was requisitioned on 17th June, 1994 under Section 3(1) of the West Bengal Land (Requisition & Acquisition) Act, 1948 and possession of the land was handed over to the Howrah Municipal Corporation on 9th April, 1993 no compensation was paid to the petitioner and the West Bengal Land (Requisition & Acquisition) Act, 1948 lapsed in the meantime.

Pursuant to the representation submitted by the petitioner, a communication was made by the Special Land Acquisition Officer (G), Howrah to the Deputy Secretary to the Government of West Bengal, Land and Land Reforms and Refugee Relief & Rehabilitation Department on 28th July, 2017 seeking instructions since LA Collector had no scope to make payment of any award to the non-compensated land owners as per prevailing market rate or revalidate the lapsed acquisition case.

It is submitted on behalf of the petitioner that no further step has been taken by the authority to either pay

compensation to the petitioner in terms of present market rate of the land in question or initiate fresh acquisition proceedings under the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

The State-respondents are directed to take necessary instructions in this matter and submit a report in the form of affidavit on the adjourned date upon service of advance copy to the petitioner.

A copy of this order be served upon the State-respondents by the petitioner at the earliest.

Let this matter appear under the same heading on 23rd February, 2023.

(Suvra Ghosh,J)