

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

45 31.8.2023
Sc Ct. no. 2

WPA 2012 OF 2023

Rakhi Suhana Sarkar

Vs.

The State of West Bengal & Ors.

Ms. Riya Das
Mr. Debajit Kundu.

....For the Petitioner

Mr. Subir Kumar Saha
Mr. Pretom Das.

....For the Respondent
State

Affidavit-of-service, filed in Court today, is
taken on record.

The father of the writ petitioner was the land
owner whose land has been acquired in terms of
the provisions laid down under the Land
Acquisition Act. The petitioner being the daughter
claims **land loser's** benefit under a **gazette
notification bearing no.301-EMP/1M-10/2000.-
August 21, 2002, Annexure-P4 at page 24 to
the writ petition.**

Ms. Riya Das, learned advocate appears
through virtual mode for the petitioner.

Mr. Subir Kumar Saha, learned Additional
Government Pleader appears for the respondents.

Considering the submissions made on behalf of the parties and considering the materials-on-record and the case made out in the writ petition, it appears to this Court that, there is no scope for any interim order.

The writ petition needs to be decided on affidavits.

The respondents shall file affidavit-in-opposition on or before **September 20, 2023**.

Reply, if any thereto, shall be filed on or before **October 18, 2023**.

The question of ***maintainability of the writ petition*** is kept open which shall be decided at the threshold when the writ petition shall be considered next.

The writ petition shall appear under the heading “**Hearing**” before the **next available Circuit Bench then** after expiry of the aforesaid period.

(Aniruddha Roy, J.)