IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

Ct.19 **14.10.26**
Item No.15 Sws.M

WPA 29849 of 2026

Gupta Cement Agency & Ors.
VS.
The State of West Bengal & Ors.

Mr. Sandip Ray
.....for the petitioners
Mr. Nilanjan Bhattacharjee
Ms. Joyita Dhar Chakraborty
Mr. Saikat Dey
.....for the respondent/State

1. The writ petitioner and the respondent/State are represented by their respective counsel.

2. At the time of hearing, Mr. Ray, learned counsel appearing on behalf of the writ petitioners, draws attention of this Court to page Nos. 49 and 50 of the instant writ petition, being a copy of the representation dated 07.02.2025 as submitted by the power of attorney holder of the writ petitioners. It is submitted by Mr. Ray that the facts and circumstances as involved in the instant writ petition is identical with the facts and circumstances as involved in *WPA 6353 of 2025 (Puspo Renu Banik vs. The State of West Bengal & Ors.)* as disposed of on 02.04.2025. It is submitted by Mr. Ray that a similar order dated 13.10.2026 was passed in *WPA 29327 of 2026 (Saraswati Devi vs. The State of West Bengal & Ors.)* by this Court.

3. Ms. Joyita Dhar Chakraborty, learned advocate appearing on behalf of the respondent/State submits before this Court that the instant writ petition is not maintainable in view of the fact that such writ petition is filed on the basis of a mere apprehension and in the pleading of the instant writ petition, no alleged inaction or non-action on the part of the respondent No. 3 has been agitated.
4. On careful perusal of the entire materials as placed before this Court and after hearing learned advocates for the contending parties, it appears to this Court that by submitting a representation dated 07.02.2025, the power of attorney holder of the writ petitioners merely requested the respondent No.3/authority to clarify regarding the exact status of the land in question, that is to say whether the land in question is acquired or not and in the event the answer is affirmative, any compensation has been paid or not.
5. In view of such it appears to this Court that the prayer as made by the writ petitioners is very much modest.
6. In view of such, this Court while disposing the instant writ petition directs the respondent No. 3/authority to consider the representation dated 07.02.2025 as submitted by the power of attorney holder of the present writ petitioners in accordance

with law and after giving due opportunity of hearing to the writ petitioners, shall pass a reasoned order and shall forthwith communicate the same to the writ petitioners preferably within 90 working days from the date communication of the server copy of this order.

7. The time limit as fixed by this Court is peremptory and mandatory.

8. With the aforementioned observations, the instant writ petition is **disposed of.**

9. Before parting with, it is however made clear that while disposing the instant writ petition, this Court has not gone into the merits of the representation dated 07.02.2025 and, thus, all points are kept open for adjudication by the respondent no.3/ authority.

10. It is further directed that in the event while passing the reasoned order, the respondent No. 3/authority finds sufficient justification in the representation dated 07.02.2025, the respondent No. 3/authority is directed to take all consequential action soon thereafter.

11. Urgent Photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Partha Sarathi Sen , J.)