

July 22, 2021

ARDR

(18)

WPA 4354 of 2020

Aminul Haque

Vs.

The State of West Bengal & Ors.

Mr. Suprabhat Bhattacharjee,

Ms. Sangeeta Roy,

...for the petitioner.

Ms. Maanika Roy,

...for the NHAI.

Mr. Jahar Lal De,

Ms. Debjani Mitra,

...for the State.

The grievance of the petitioner is that a portion of his land measuring .19 decimals situated at Mouza Thilbill has not been acquired by the State respondents and the same be acquired in accordance with law.

In this background the petitioner relies on a notice dated 22nd November, 2019 appearing at Annexure P/3 to the petition and submits that the same be considered by the respondent authorities.

Mr. De appearing on behalf of the State respondents submits that in respect of the .53 decimals of the petitioner's land the State had acquired a portion of the premises of the petitioner and has paid the petitioner the entire compensation as far back as on 26th June, 2014. He further submits that the grievance of the petitioner is in respect of .19

decimals of the petitioner's land which the petitioner seeks should be acquired by the State authorities.

Ms. Roy appearing on behalf of the National Highways Authorities submits that the petitioner has been paid the entire compensation including enhanced compensation in respect of .53 decimals of the petitioner's land.

I have heard the submissions of the parties. I am of the view that there is no merit in the case of the petitioner even for consideration of the petitioner's grievance. There is also no merit in the case for compulsorily acquiring .19 decimals land of the petitioner. Such a prayer for specific enforcement and for compulsory purchase is unknown to law and ought not to be considered.

Hence, WPA 4354 of 2020 is dismissed. However, there will be no order as to costs.

(Ravi Krishan Kapur, J.)