

Court No. 2
12.12.2024
(Item No. 41)
(AB)

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side

W.P.A. 8750 of 2024

Jitendra Nath Sarkar
VS
State of West Bengal & Ors.

Mr. Tulsi Das Roy
Mr. Tirthankar Roy
.... For the petitioner

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

Mr. Tulsi Das Roy, learned advocate appears for the petitioner.

Considering the issue involved in this writ petition this Court finds that an immediate assistance is required from National Highway Authority of India. Accordingly Ms. Manika Roy, learned counsel who regularly appears for National Highway Authority present in Court is requested to hold the brief to assist this Court in the matter. A copy of the writ petition has been served upon her in Court today. Her appearance shall be regularized by the appropriate authority of NHAI forthwith.

Learned counsel for the petitioner drawing attention to a determination of compensation dated **September 17, 2017** at **page 16** to the writ petition submits that, the land of the petitioner was acquired and the compensation has already been determined. The petitioner has not challenged the said compensation amount and on the determination there

of the petitioner has no grievance. The petitioner shall also not challenge the said amount of quantification of compensation. The petitioner shall be happy to receive the said quantum of amount at the earliest.

In view of the above, the respondent No. 4 upon due verification of all the records and the identity of the petitioner and upon being satisfied with his ownership on the land that he is the actual land loser and no other co-sharer is there, shall disburse the payment strictly in terms of the said determination dated **September 17, 2017** at **page 16** to the writ petition positively within a period of **four weeks** from the date of communication of this order.

In the event of default the amount shall carry interest @ **4% per annum** since today till the actual payment is tendered to the petitioner.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations and directions, this writ petition, **WPA 8750 of 2024** stands **disposed of**, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)