

04.12.2024
Item 19, Ct.2
Sandip

**IN THE HIGH COURT AT CALCUTTA
CIRCUIT BENCH AT JALPAIGURI
CONSTITUTIONAL WRIT JURISDICTION**

WPA 1808 of 2024

Kartick Dutta & Anr.

-Vs-

The State of West Bengal & Ors.

Mr. Atarup Banerjee,
Mr. Arindam Sen,
Mr. Samit Bhanja

...for the petitioners.

Mr. Hirak Barman,
Mr. Bikash Singha

...for the State.

Ms. Supriya Singh

...for the respondent N.H.A.I.

Affidavit-of-service filed on behalf of the
petitioners be kept with the record.

A report is filed on behalf of the *Project
Director*, National Highway Authority of India; let it
be kept with the record.

The petitioners are claiming to have title over
the land comprised in Dag No. 594 recorded in
Khatian Nos. 1258 and 1259 of Mouza – Khalaigram,
District – Jalpaiguri.

The petitioners are praying demarcation of
their land on the ground that though their land is not
the subject matter of the *GHOSHPUKUR–
DHUPGURI (PKG – 1) ROAD PROJECT* but they are
apprehending that their land may be erroneously
exploited in the said project.

The report filed today justifies the claim of the
petitioners. The letter of the Project Officer dated
September 05, 2024 forms part of the report whereby
the Special Land Acquisition Officer and Competent

Authority of Land Acquisition, District – Jalpaiguri, the respondent no. 3 herein, has been requested to demarcate the land of the petitioners from the project land.

The respondent no. 3 is directed to take steps for such demarcation in terms of the said letter in accordance with law, as expeditiously as possible, preferably within a period of **six weeks** from the date of communication of this order.

W.P.A. 1808 of 2024 is disposed of with the above terms without any order as to costs.

Since no affidavit has been invited, the allegations made in the writ petition are deemed to have been denied by the respondents.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)