

S/L 31
10.06.2025
Court. No. 19
Sourav

WPA 6651 of 2025

**Santi Ranjan Tarafder
Vs.
State of West Bengal & Ors.**

*Mr. Bikash Chowdhury
Mr. Monojit Pal*

...for the petitioner.

*Mr. Chandi Charan De, Ld. AGP
Mr. Anirban Sarkar*

...for the State.

1. The affidavit-of-service as filed today is taken on record.
2. By filing the instant writ petition, the writ petitioner has prayed for issuance of appropriate writ/writs against the respondents/authorities for payment of adequate compensation to him on account of utilization of 15 cottahs of land particulars of which has been mentioned in paragraph no. 2 of the instant writ petition, by the respondent no. 6/authority.
3. On careful consideration of the entire materials as placed before this Court and after hearing the learned advocates for the contending parties, it reveals from Page No. 41 of the instant writ petition, being a copy of memo dated 19.06.2024 as issued by the Special Land Acquisition Officer, North 24 Parganas, Barasat addressed to the Deputy Secretary to the Government of West Bengal, P.W.D. (Roads Wing), Land Acquisition Branch that it is the clear finding of the Special Land Acquisition Officer, North 24 Parganas,

Barasat that the land of the writ petitioner has been utilized by the respondent no. 6/authority.

4. The relevant portion of the memo dated 19.06.2024 is quoted hereinbelow in verbatim:-

“Point – 1. That on scrutiny of our office record and verification of Over Lapping Register it has been ascertained that the subject land involved in the writ petition has not been acquired previously under any land acquisition proceeding. Furthermore, it revealed from a communication of the Executive Engineer, Barasat Division PWD addressed to the Chief Engineer (Planning), Public Works (Roads) Directorate vide his office memo no. 2726 dated 16.08.2023 that the subject land of the writ petition has been utilized for the Development of Sayestanagar Kaijuri Chituri Road of Basirhat Sub Division. The copy of the said memo is also enclosed herewith for your kind perusal.

Point – 2. Kindly referred to answer at point no. 1. As the said subject land has not been acquired in any land acquisition proceeding the question does not arise.”

5. On careful perusal of the relevant portion of the said memo dated 19.06.2024, this Court thus finds sufficient justification in the submission of the learned advocate for the writ petitioner inasmuch as it reveals from the said memo that a substantial portion of the writ petitioner’s land has been utilized by the respondent no. 6/authority for the purpose of construction of a road.

6. Such being the position, this Court while disposing the instant writ petition directs the respondent no. 7 to make a demarcation report over the plots of land of the writ petitioner securing prior service of notice upon the writ petitioner and the respondent no. 6 and shall submit such report with the respondent no. 6/authority positively within 45 working days from the date of communication of the server copy of this order.
7. The respondent no. 6/authority on receipt of such report from the respondent no. 7/authority shall place such report along with its finding in the light of the observation of the memo dated 19.06.2024 before the District Magistrate and Collector, North 24 Parganas i.e., the respondent no. 2 herein positively within 30 working days from the date of receipt of the report from the respondent no. 7/authority.
8. The respondent no. 2/authority being the Chairperson of the Committee for Direct Purchase Policy of District – North 24 Parganas shall obtain the market value of utilized land by the respondent no. 6/authority from the District Registrar, North 24 Parganas and upon obtaining such market value shall make necessary requisition for placement of fund with him by the respondent no. 6/authority and upon receipt of such fund, shall make payment to the writ petitioner upon executing a registered deed of conveyance.
9. The entire exercise as indicated in the foregoing paragraphs is to be completed by the respondent no. 2/authority within 180 working days from the date of

receipt of the report from the respondent no. 6/authority.

10. Liberty is given to the learned advocate for the writ petitioner to communicate the server copies of this order to the respondent nos. 2, 6 and 7 for their immediate compliance.
11. The respondent nos. 2, 6 and 7 are directed to act on the server copies of this order.
12. The time limits as fixed by this Court are mandatory and preemptory.
13. With the aforementioned observation, the instant writ petition being **WPA 6651 of 2025** is disposed of.
14. 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.)