

N.22Sl
151/CL

01.09.2025
SL-17 & 18
Ct.19
(S.R.)

WPA 8301 of 2025
Bengal EV Hub & Ors.
-vs-
The Union of India & Ors.
with

WPA 8307 of 2025
M/s. Dubrajpur Auto Centre (Indian Oil) & Ors.
-vs-
The Union of India & Ors.

Mr. Arindam Das
Ms. Ananya Chakraborty
Mr. Snehasish Ghosh ... for the petitioners.

Mr. Nonigopal Chakraborty, Sr. Adv.
Mr. Debasish Basak
... for the UOI in WPA 8301 of 2025)

Mr. Rajen Dutta
Mr. Guddu Singh
... for the UOI in WPA 8307 of 2025.

Mr. Supratim Dhar
Ms. Tuli Sinha
... for the State in WPA 8301 of 2025.

Mr. Chandi Charan De, Ld. Addl. Govt. Pleader
Mr. Anirban Sarkar
... for the State in WPA 8307 of 2025.

1. Since in WPA 8301 of 2025 and in WPA 8307 of 2025 the identical questions of facts and laws are involved, this Court proposes to dispose the instant two writ petitions by a common order.
2. The writ petitioners, Union of India and its instrumentalities and the respondent/State and its instrumentalities are represented by their respective

counsels.

3. By filing the instant two instant writ petitions, the writ petitioners have prayed for quashing of the memos dated 13.01.2025, the copies of such memos have been annexed at page 209 in WPA 8301 of 2025 and at page no. 229 in WPA 8307 of 2025.
4. At the time of hearing, Mr. Das, learned advocate appearing on behalf of the writ petitioners in both the writ petitions at the very outset draws attention of this Court to the order dated 03.01.2025 as passed in WPA 8349 of 2024 by a Coordinate Bench of this Court, a copy of which has been annexed at page nos.203 to 205 in WPA 8301 of 2025 whereby and whereunder the said Coordinate Bench directed the respondent no.8/authority therein to serve a copy of the award as passed by him to the writ petitioners. By the self-same order, the said Coordinate Bench directed the respondent no.9/authority to pay the awarded compensation to the writ petitioners and the other interested parties positively within a period of six weeks from the date of supplying of the copy of the award.
5. It is further submitted by Mr. Das that a similar order dated 16.12.2024 was passed by the self-same Coordinate Bench in WPA 8337 of 2024, a copy of which is annexed at page nos.222 to 225 in

WPA 8307 of 2025.

6. At this juncture, Mr. Das draws attention of this Court to the impugned memo dated 30.01.2025 together with its annexures as has been annexed at page nos.209 to 211 in WPA 8301 of 2025.
7. It is submitted by Mr. Das that on perusal of the copy of the said memo dated 30.01.2025, it would reveal that the respondent no.5/authority in complete disobedience of the earlier order dated 03.01.2025 and 16.12.2024 has only forwarded some calculation sheets without supplying the award, as declared by the respondent no.5/authority.
8. At this juncture, Mr. Das draws attention of this Court to page nos.215 to 217 in WPA 8301 of 2025. It is submitted that in terms of the 'Manual of Guidelines On Land Acquisition for National Highways under the National Highways Act, 1956' (hereinafter referred to as the 'said Act of 1946', in short), the respondent no.5/authority is duty bound to declare the award in terms of the annexure 3.4 of the said Manual as well as in terms of Forms-VI and VII of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement (Compensation, Rehabilitation and Resettlement and Development Plan) Rules, 2015.

9. In course of his argument, Mr. Das has also placed his reliance upon a notification dated 07.12.2025 as issued by the Land and Land Reforms Department, Government of West Bengal showing guideline for preparation of estimate under Section 3G of the said Act.
10. It is submitted by Mr. Das that on bare perusal of the memo dated 13.01.2025 along with its annexures, it would reveal that the respondent no.5/authority has also not followed the aforementioned guidelines while declaring the award since the same is not visible from the impugned memo dated 13.01.2025.
11. At this juncture, Mr. Das took me to page nos.195 to 197 in WPA 8301 of 2025 being a copy of the order dated 31.08.2023 as passed by another Coordinate Bench of this High Court.
12. It is submitted by Mr. Das that in a similar case, the said Coordinate Bench while allowing the said writ petition directed the competent authority under Act xxx of 2013 to declare the award in terms of the provisions of Section 3G(1) read with Section 3G(7) of the said Act xxx of 2013. It is, thus, submitted by Mr. Das that the instant two writ petitions may be allowed by granting the reliefs, as prayed for.
13. Such contention is, however, opposed by Mr. Dhar, learned senior advocate and Mr. De, learned AGP

appearing on behalf of the respondent/State and its instrumentalities. It is submitted by Mr. Dhar and Mr. De that there cannot be any justification on the part of this Court to set aside the impugned memos dated 13.01.2025 in absence of any material to show that the said award has not been passed in terms of the provisions of Sections 3G(1) and (7) of the said Act.

14. It is further submitted by Mr. Dhar and Mr. Das that from the impugned two memos, it would reveal that in terms of the earlier orders dated 03.01.2025 and 16.12.2024 as passed by a Coordinate Bench of this Court in WPA 8349 of 2024 and in WPA 8337 of 2024 respectively, the respondent no.4/authority has communicated the calculation showing different components of the award. Mr. Dhar and Mr. De, thus, submit that it is a fit case for dismissal of the instant two writ petitions.
15. This Court has meticulously considered the entire materials as placed before this Court.
16. This Court has also given its due consideration over the submissions of the learned advocates for the contending parties.
17. On careful perusal of the earlier orders as passed by a Coordinate Bench of this Court on 03.01.2025 in WPA 8349 of 2024 and on 16.12.2024 in WPA 8337 of 2024, it reveals that the respondent

no.5/authority by the said orders dated 03.01.2025 and 16.12.2024 was directed to communicate the award to the writ petitioners herein.

18. On perusal of the impugned memos dated 13.01.2025, it does not reveal to this Court that the previous orders dated 03.01.2025 and 16.12.2024 were at all complied with by the respondent no.5/authority inasmuch as under cover of the memos dated 13.01.2025 the award as contemplated to be declared as per annexure 3.4 of the said Manual of Guidelines was not communicated to the writ petitioners.
19. As rightly pointed out by Mr. Das, that in a similar nature of writ petition, a Coordinate Bench of this Court by its order dated 31.08.2023, as passed in WPA 5904 of 2022, directed the respondent no.7/authority therein to assess the award afresh keeping in mind the provisions of Sections 3G(1) and (7) of the said Act xxx of 2013.
20. In view of such, this Court while disposing the instant two writ petitions, thus, directs the respondent no.5/authority to communicate the award, as published by it in connection with LA Case No.04/2022-2023, to the writ petitioners in terms of Annexure 3.4 of the 'Manual of Guidelines On Land Acquisition for National Highways under the National Highways Act, 1956', a copy of which

has been annexed at page nos.215 to 216 in WPA 8301 of 2025 keeping in mind the provisions of sections 3G(1) and (7) of the Act xxx of 2013 positively within thirty working days from the date of communication of the server copy of this order.

21. Liberty is given to the learned advocates-on-record for the writ petitioners to communicate the server copy of this order to the respondent no.5/authority forthwith.
22. The respondent no.5/authority is directed to act on the basis of the server copy of this order.
23. The time limits as fixed by this Court are mandatory and peremptory.
24. With the aforementioned observations, **WPA 8301 of 2025** and **WPA 8307 of 2025** are disposed of.
25. There shall, however, be no order as to costs.
26. Urgent Photostat certified copy of the order if applied for, be made over to the parties as expeditiously as possible.

(Partha Sarathi Sen, J.)