

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side**

Ct.19 **31.10.25**
Item No11 Sws.M

WPA 8687 of 2025

Golam Kabir Seikh

Vs

The State of West Bengal & Ors.

Mr. Partha Pratim Roy

Ms. Somashree Dey

Ms. Swastika Roy

...for the petitioner

Mr. Nilotpal Chatterjee

Mr. Amrita Lal Chatterjee

....for the State

1. On behalf of the writ petitioner one affidavit-of-service and one print out of the certified copy of Khatian No. 1910 in respect of Mouza- Muratipur, P.S. – Bhatar, District- Purba Bardhaman are filed and those are taken on record.
2. On behalf of the respondent/State, a report dated 23.05.2025 as submitted by the Assistant Director (Sqd. – II), Purba Bardhaman is filed and the same is also taken on record.
3. At the time of hearing, Mr. Roy, learned advocate appearing on behalf of the petitioner draws attention of this Court to page No. 17, being a copy of print out of the information in respect of plot No. 2223 in Mouza – Muratipur under P.S. – Bhatar, District – Purba Bardhaman, wherefrom it reveals that a portion of plot no. 2223 to the extent of 0.10

acres was recorded in the name of the writ petitioner.

4. Drawing attention to the certified copy of the LR Khatian as filed today it further reveals that in respect of plot no. 2190 in the self-same Mouze, Police Station and District, 0.30 acres was recorded in the name of the writ petitioner. It is submitted by Mr. Roy that it is the grievance of the writ petitioner that the land of the writ petitioner in the aforementioned two plots, namely, plot No. 2190 and plot No. 2223 in the aforementioned Mouza, Police Station and District have been substantially utilized by the respondents/authorities for the purpose of construction of road without initiating any valid acquisition process and therefore appropriate writ/writs may be issued against the respondents/authorities, more specifically against the respondent No. 6/authority to initiate an acquisition proceeding under Act 30 of 2013 and to disburse adequate compensation soon thereafter.
5. It is further submitted by Mr. Roy that from the report dated 23.05.2025 as submitted before this Court, it would reveal that it is the candid admission of the respondent/State authority that the aforementioned two plots have been utilized by the respondents/ authorities without initiating any process of acquisition.

6. Such contention is, however, opposed by Mr. Chatterjee, learned advocate appearing on behalf of the respondent/State. It is submitted by Mr. Chatterjee that from the report dated 23.05.2025 it would reveal that it is the specific case of the respondent/State that the present writ petitioner is not the absolute owner of the aforementioned two plots and on the contrary the writ petitioner is the recorded owner of 0.10 acres in plot No. 2223 and 0.30 acres in respect of plot No. 2190.
7. It is further submitted by Mr. Chatterjee that from the report as filed today it would reveal that since the said two plots have been utilized for construction of Karjana-Muratipur-Natunhat road without acquiring the aforementioned two plots, appropriate steps have been taken by the respondent No. 7 / authority for taking necessary steps for acquisition of the plot No. 2190 in full by way of direct purchase policy. However, no proposal for acquisition of plot No. 2223 in full or part is yet to be made.
8. On careful perusal of the entire materials as placed before this Court and after hearing the learned advocates for the contending parties it thus appears before this Court that undisputedly the aforementioned plot Nos. 2223 and 2190 have been utilized by the respondents/authorities for

construction of aforementioned road without initiating any process of acquisition.

9. It further appears to this Court that noticing such irregularity, the respondent No. 7/ authority has taken steps for acquisition of plot No. 2190 by way of direct purchase however, as of now no such proposal has been initiated for acquisition of plot No. 2223 of aforementioned Mouza.
10. In view of such, this Court finds sufficient merit in the instant writ petition and this Court further finds that the writ petitioner is successful in making out a case to substantiate that the aforementioned two plots have been utilized by the respondent/authority without initiating any valid process of acquisition.
11. Since Act 30 of 2013 has already brought into effect on and from 01.01.2014 by the Gazette Notification dated 19.12.2013, this Court while disposing the instant writ petition directs the respondent No. 2/authority to initiate a process of acquisition in respect of plot Nos. 2190 and 2223 in Mouza- Muratipur under P.S. Bhatar, District – Purba Bardhaman forthwith and to complete such acquisition process in accordance with law within 180 working days from the date of communication of the server copy of this order and shall disburse adequate compensation in terms of the provisions

of Act 30 of 2013 to all the stake holders including the writ petitioner within sixty working days thereafter.

12. The time limit as fixed by this Court is peremptory and mandatory.
13. Learned advocate on record for the petitioner is hereby requested to communicate the server copy of this order to the respondent No. 2/authority.
14. The respondent No. 2/authority is directed to act on the server copy of this order.
15. With the aforementioned observation, **WPA 8687 of 2025** is **disposed of**.
16. Urgent photostat certified copy of this order, if applied for, be supplied to the parties on urgent basis after completion of necessary formalities.

(Partha Sarathi Sen , J.)