

Item No.11
22.07.2025
Court. No. 19
GB

W.P.A. 9071 of 2025

Jyotsna Dey
Vs.
Union of India & Ors.

Mr. Pranit Bag,
Mr. Sidhartha Sharma,
Mr. Md. Danish Taslim,
Mr. Rishav Dutt

...for the Petitioner.

Mr. Debajyoti Deb,
Mr. Srikumar Chakraborty

...for the UOI.

Mr. Chandi Charan De, Ld. A.G.P.,
Ms. Reshma Chatterjee

...for the State.

Mr. Dipankar Das

...for the NHAI.

1. The report in the form of affidavit as submitted on behalf of the respondent no.5 authority 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, more specifically against the respondent no.5 authority to forthwith compensate the writ petitioner for acquisition of 14ft. land of the writ petitioner by the NHAI authority.
3. At the time of hearing learned advocate appearing on behalf of the writ petitioner at the very outset draws attention of this Court to page nos.37 to 39 of the instant writ petitioner being a copy of the memo dated 20.11.2024 as issued by the respondent no.2 authority wherein a sketch map showing affected area of plot

nos.19 and 20 has/have been indicated as per joint spot enquiry.

4. It is submitted on behalf of the writ petitioner that though in course of joint spot enquiry it reveals that 700 Sq. meter and 1050 Sq. meter of land were affected in plot nos.19 and 20 respectively but the respondent no.5 authority has not taken any positive steps for disbursement of compensation for wrongful acquisition of the said portions of the land.
5. Per contra, Mr. De, learned Additional Government Pleader appearing on behalf of the respondent no.5 authority at the very outset draws attention of this Court to page no.3 of the report as filed today. It is submitted by Mr. De that in course of a field enquiry it has been noticed by the respondent no.5 authority that in plot nos.19 and 20, 0.016 acres and 0.024 acres of land have been utilized and/or extended beyond the land acquired.
6. Mr. De in his usual fairness submits before this Court that the respondent no.5 authority is in the process of initiating determination of compensation and disbursement thereof under Section 3G of the National Highways Act, 1956 (hereinafter referred to as the 'said Act of 1956').
7. Such being the factual position, this Court while disposing the instant writ petition directs the respondent no.5 authority to complete the proceeding under Section 3G of the said Act of 1956 positively

within 120 working days from the date of communication of the server copy of this order and upon completion of the same shall disburse the adequate compensation to the writ petitioner within 60 working days thereafter.

8. The requiring body being the NHAI authority is hereby directed to ensure the availability of compensation money as would be determined by the respondent no.5 authority for due compliance of the order of this Court.
9. The time limits as fixed by this Court are mandatory and peremptory.
10. Liberty is given to the learned advocate on record for the writ petitioners to communicate the server copies of this order to the respondent no.5 and respondent no.2 authorities.
11. The respondent no.5 and respondent no.2 authorities are directed to act on the basis of the server copies of this order.
12. With the aforementioned observation WPA 9071 of 2025 is disposed of.
13. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all other formalities.

(Partha Sarathi Sen, J.)