

M/L 18
09.06.2025
Court. No. 19
Sourav

WPA 11222 of 2023

Biswajit Ghosal
Vs.
State of West Bengal & Ors.

Mr. Sabyasachi Mukhopadhyay
Ms. Koushikee Banerjee

...for the petitioner.

Mr. Soumitra Bandyopadhyay, Sr. Govt. Adv.
Mr. Priyabrata Batabyal

...for the State.

1. The affidavit-of-service as filed today on behalf of the writ petitioner 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 disbursement of adequate compensation in respect of acquired land in favour of the writ petitioner which is the subject matter of Misc. Case No. 1/LA-47R/70-71/2022.
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 to this Court that pursuant to an order dated 07.12.2021 as passed by a co-ordinate Bench of this Court in WPA 17049 of 2021, the respondent no. 3/authority while considering the representation of the writ petitioner came to a finding that the respondent no. 4/authority shall have to make arrangement for assessment of valuation of the plot of land which is the subject matter of the aforementioned land acquisition proceeding.

4. From page no. 60 of the instant writ petition, it reveals that the respondent no. 4/authority under cover of his memo dated 08.04.2022 intimated the Deputy Secretary, P.W.D. (Roads), Land Acquisition Branch regarding market price/value as has been collected from the District Registrar, Purba Bardhaman.
5. In course of hearing, Mr. Batabyal, learned advocate appearing on behalf of the respondent/State and its functionaries draws attention of this Court to a memo dated 09.01.2023 as issued by the Special Land Acquisition Collector, Purba Bardhaman addressed to the respondent no. 3 herein wherefrom it reveals that the vetted copy of the estimate in respect of the plot of land which is the subject matter of the aforementioned land acquisition proceeding has been approved by the L & LR & R & RR Department.
6. Such being the position, this Court is of the considered view that there cannot be any predicament on the part of the respondent no. 3 to ensure the availability of the said vetted amount and for disbursement of the same in favour of the writ petitioner.
7. In course of hearing, learned advocate for the writ petitioner submits before this Court that the amount of compensation as has been assessed and vetted is exceptionally low in comparison to the compensations paid to other land owners under same land acquisition proceeding. It is thus submitted on behalf of the writ petitioner that the respondents/authorities be directed to disburse compensation in favour of the writ

petitioner keeping parity with the compensations as disbursed to the other land losers under the self-same land acquisition proceeding.

8. This Court considers that since the quantum of the vetted amount is not subject matter of the instant writ petition, this Court cannot pass any favourable order in favour of the writ petitioner as submitted by the learned advocate for the writ petitioner in course of hearing.
9. In view of such while disposing the instant writ petition, this Court directs the respondent no. 3/authority to disburse the amount of compensation as vetted and approved by the L & LR & R & RR Department in favour of the writ petitioner positively within 90 working days from the date of communication of the server copy of this order.
10. It is made clear that while disposing the instant writ petition, this Court has made no observation with regard to the adequacy or inadequacy of the compensation as has been assessed by the respondent authorities and such point is kept open.
11. The time limit as fixed by this Court is mandatory and preemptory.
12. Liberty is given to the learned advocate on record for the writ petitioner to communicate the server copy of this order to the respondent no. 3/authority for his immediate compliance.
13. The respondent no. 3/authority is hereby directed to act on the server copy of this order.

14. With the aforementioned observation, the instant writ petition being **WPA 11222 of 2023** is disposed of.
15. 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.)