

July 14, 2025
Sl. No.15
Court No.19
s.biswas

WPA 11634 of 2025

Prasanta Kumar Dutta

vs.

The State of West Bengal and others

Mr. Baidurya Ghosal

Mr. Saikat Mukherjee

... for the petitioner

Mr. Supratim Dahr, Sr. Adv.

Ms. Tuli Sinha

... for the State

1. By filing the instant writ petition, the writ petitioner has prayed for issuance of appropriate writ/writs against the respondent authorities, more specifically against the respondent no.3 to consider his representation dated 03.03.2025 regarding making reference under Section 18 of the Act 1 of 1894.
2. On careful perusal of the entire materials as place before this court, it reveals that the petitioner received a memo dated 22.02.2017 from the Land Acquisition Collector (General), Howrah regarding payment of award of compensation in connection with the relevant L.A. cases.
3. It is submitted on behalf of the writ petitioner that from page 24 and 25, it would reveal that the writ petitioner submitted an application under Section 18 of Act 1 of 1894 on 28.03.2017 with the Special Land Acquisition Officer (General), Howrah, requesting him to make reference.
4. In an earlier round of litigation, a Co-ordinate Bench by its judgment and order dated

11.10.2023 as passed in WPA 27600 of 2022 came to a finding that the writ petitioner has failed to take any steps under Section 18 of the Act 1 of 1894 and in passing of the said order dated 11.10.2023 the said Co-ordinate Bench also came to a finding that the writ petitioner's prayer for making reference is hopelessly barred in view of the stipulated period provided under Section 18 of the Act 1 of 1894.

5. On careful consideration of the entire materials as placed before this court, it thus appears to this court that the instant writ petition is barred under the principles of res judicata since in an earlier round of litigation a Co-ordinate Bench noticed that the writ petitioner has failed to prove that he has submitted an application for reference under Section 18 of the Act 1 of 1894 within the stipulated period.
6. The said court also found that as on 11.10.2023, the writ petitioner's prayer for reference is hopelessly barred in view of the finding that the stipulated period as provided under Section 18 of the Act 1 of 1894 is already over.
7. In view of such, this court considers that there is hardly any scope to consider the representation of the writ petitioner by the respondent no.3.
8. With the aforementioned observation, WPA 11634 of 2025 is dismissed.

9. There shall be no order as to costs.

10. Urgent photostat certified copy of this order if applied for, be supplied to the parties upon completion of all necessary formalities.

(Partha Sarathi Sen, J.)