

S/L 18
11.06.2025
Court. No. 19
Sourav

WPA 14232 of 2024

**Nirmal Mondal & Ors.
Vs.
The Union of India & Ors.**

*Mr. Prantick Ghosh
Mr. Prasad Bhattacharyya
Ms. Shravani Ghosh*

...for the petitioners.

*Ms. Manika Roy
Ms. Ankita Chawdhury
Mr. Atanu Sur*

...for NHAI.

*Mr. Ayan Banerjee
Mr. Amrita Lal Chatterjee*

...for the State.

1. The writ petitioners, the respondent no. 2 i.e., National Highway Authority of India (NHAI) and the respondent/State are represented by their respective learned advocates.
2. Learned advocate for the respondent/State submits before this Court that he has not received any report from his client.
3. By filing the instant writ petition, the writ petitioners have prayed for issuance of appropriate writ/writs against the respondents/authorities for returning unutilized land to the writ petitioners in plot no. 502 in Mouza – Gouripur.
4. At the time of hearing, Mr. Ghosh, learned advocate appearing on behalf of the writ petitioners at the very outset draws attention of this Court to paragraph no. 10 of the instant writ petition. It is submitted by Mr. Ghosh that it is the specific case of the writ petitioners

that in connection with the LA Case No. D-24 of 1961-62 vide notification no. 13122L.A. dated 09.07.1959, 24 decimals of land in aforementioned plot was acquired and out of which approximately, 11.62 decimal of land has been utilized and thus 12.38 decimal of land being surplus is now lying vacant.

5. It is submitted that on 21.03.2024 and 03.05.2024, the writ petitioners submitted their representations with the respondents/authorities for return of the unutilized land to the writ petitioners but the respondents/authorities have not taken any decision for the reasons best known to them.
6. Ms. Roy, learned advocate appearing on behalf of the respondent no. 2 i.e., NHAI, however, submits that the land which is the subject matter of the instant writ petition is not under administrative control of the NHAI authorities.
7. On careful consideration of the entire materials as placed before this Court and after hearing the learned advocates for the contending parties, this Court while disposing the instant writ petition directs the respondent no. 8/authority to treat the instant writ petition as a representation of the writ petitioners. The respondent no. 8 is hereby directed to give a chance of hearing to the writ petitioner and/or their authorized representatives and/or any other interested persons as he may deem fit and proper and, thereafter, the respondent no. 8/authority shall pass a reasoned order in writing on the representation of the writ petitioners

and shall forthwith communicate his reasoned order to the writ petitioners preferably by mail, if the mail details of the writ petitioners are provided to him at the time of hearing.

8. It is made clear that the entire exercise as indicated in the foregoing paragraphs is to be completed within 60 working days from the date of communication of the server copy of this order.
9. Liberty is given to the learned advocate on record for the writ petitioner to communicate the server copy of this order along with a copy of the instant writ petition together with all annexures to the respondent no. 8/authority for his due compliance.
10. The respondent no. 8/authority is hereby directed to act on the server copy of this order.
11. Before parting with, it is made clear that the time limit as fixed by this Court is mandatory and preemptory.
12. With the aforementioned observation, the instant writ petition being **WPA 14232 of 2024** is disposed of.
13. 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.)