

S/L 9
11.09.2025
Court. No. 19
Suwayan

WPA 18321 of 2024

**Sibnarayan Mallik & Ors.
Vs.
The State of West Bengal & Ors.**

*Mr. Bhaskar Ch. Manna
Ms. Moumita Biswas*

...for the petitioners.

*Mr. Soumitra Bandyapadhyay
Ms. Suchana Banerjee*

...for the State.

1. The affidavit-of-service as filed today on behalf of the writ petitioners is taken on record.
2. On behalf of the respondents/State a report is filed and the same is also taken on record.
3. By filing the instant writ petition the writ petitioners have prayed for issuance of appropriate writ/writs for quashing of the order dated 27.07.2023 as passed by the respondent no. 3/authority whereby and whereunder the said authority declined to entertain the claim for compensation as made by the writ petitioners on account of acquisition of their land under Section 6 of Act I of 1894.
4. On perusal of the entire materials as placed before this Court it reveals that notice of declaration under Section 6 of Act I of 1894 was published on 08.03.2013. It further appears that soon thereafter notice under Section 9 read with Section 11 of Act I of 1894 was issued to the occupiers of the said acquisition land.
5. The respondent no. 3/authority while passing the reasoned order came to a finding that before him no

material could be placed to substantiate that the writ petitioners are the occupiers of the acquired land prior to acquisition.

6. Mr. Manna though places his reliance upon the various Records of Right as have been annexed with the instant writ petition, however, it reveals that those Records of Right were dated 11.06.2015.
7. Before this Court no material could be placed on behalf of the writ petitioners that prior to issuance of notice of declaration under Section 6 of Act I of 1894 dated 08.03.2013 the present writ petitioners were either the owners or the occupiers of the acquired land.
8. In view of such, this Court finds no reason to interfere with the order dated 17.07.2023 as passed by the respondent no. 3/authority.
9. With the aforementioned observation, WPA 18321 of 2024 is dismissed.
10. However, there shall be no order as to costs.
11. Urgent Xerox certified copy of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Partha Sarathi Sen, J.)