

S/L 7
24.09.2025
Court. No. 19
Sourav

WPA 20019 of 2025

Ranajit Khan & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Tapash Kr. Bhattacharya

Mr. Aviroop Bhattacharya

...for the petitioners.

Mr. Sougata Mitra

Mr. Santimoy Bhattacharya

...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 respondent/State, a status report dated 15.09.2025 as prepared by the respondent no. 3 is filed and the same is taken on record.
3. At the very outset, Mr. Bhattacharya, learned advocate appearing on behalf of the writ petitioners submits before this Court that he intends to file requisite court fees for 15 numbers of writ petitioners positively by September 26, 2025.
4. The subject matter of the instant writ petition is the non-consideration of the representations dated 22.04.2025, copies of which have been annexed at Page Nos. 41 to 46 of the instant writ petition. It is submitted by Mr. Bhattacharya that by way of such representations, it was brought to the notice of the respondent no. 3/authority that the lands of the writ petitioners, particulars of which have been mentioned in the said representations have been acquired long back but no compensation was paid to the writ petitioners.

5. It is thus submitted by Mr. Bhattacharya that appropriate relief/reliefs may be granted to the writ petitioners in terms of the prayers made in the instant writ petition.
6. On perusal of the status report dated 15.09.2025, it reveals that the lands of the writ petitioners were requisitioned under Section 3(1) of Act II of 1948 on 13.12.1979 and the said acquisitioned land was handed over to the requiring body on 19.02.1980. It further appears to this Court that notice under Section 4(1a) of the said Act II of 1948 was signed on 29.01.1985, however, no gazette notification was published. In view of such, it appears to this Court that the acquisition of the aforementioned land of the writ petitioners remained incomplete.
7. It is pertinent to mention herein that the lifetime of Act II of 1948 has come to an end and even with the promulgation of Act 30 of 2013, the old Act I of 1894 was repealed.
8. In view of such, this Court while disposing the instant writ petition directs the respondent no. 3/authority to initiate a fresh land acquisition proceeding under Act 30 of 2013 in respect of the lands of the writ petitioners and shall determine the adequate compensation as payable to the writ petitioners in terms of the provisions of Act 30 of 2013.
9. In doing so, the respondent no. 3/authority shall also calculate the retention value of the writ petitioners' land

from the date of acquisition till the initiation of the process of acquisition under Act 30 of 2013.

10. The entire exercise i.e., initiation of the acquisition proceeding of the writ petitioners' lands under Act 30 of 2013, the calculation of the awarded amount including disbursement thereof in favour of the writ petitioners shall have to be completed within 180 working days from the date of communication of the server copy of this order.
11. The time limits as fixed by this Court are mandatory and peremptory.
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.
13. The respondent no. 3/authority is hereby directed to act on the basis of the server copy of this order.
14. With the aforementioned observations, the instant writ petition being **WPA 20019 of 2025** 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.)