

S/L 26
19.09.2025
Court. No. 19
Sourav

WPA 24497 of 2023

Sk. Anwar Ali

Vs.

The State of West Bengal & Ors.

Mr. Kaustav Banerjee

Ms. Ria Kundu

...for the petitioners.

Mr. Nabhajit Prasad Basu

Mr. Arindam Mitra

...for the State.

1. At the time of hearing, Mr. Banerjee, learned advocate appearing on behalf of the writ petitioner submits before this Court that for the purpose of construction of Champadanga – Seakhala Highway, the writ petitioner's land to the extent of 0.24 decimal of land in R.S. Plot No. 73 and 0.75 decimal of land in R.S. Plot No. 399 in Mouza – Ayamapaharpur under P.S. Tarakeswar, Hooghly was acquired and the writ petitioner has already received compensation by accepting the award.
2. It is further submitted by Mr. Banerjee that it is the grievance of the writ petitioner that as per old mouza map for construction of highway road only 110 ft. stretch of land was utilized whereas as per newly published mouza map, the stretch of the said highway is extended to 120/150 ft. It is submitted by Mr. Banerjee that it is the apprehension of the writ petitioner that on account of publication of new mouza map showing the stretch of road to the extent of 120/150 ft. more land of the writ petitioner was acquired though no notice of acquisition was received by the writ petitioner.
3. Drawing attention to Page Nos. 11 to 13 of the instant writ petition, it is submitted that the writ petitioner

ventilated his grievance before the respondents/authorities, more specifically, the respondent no. 3/authority but in vain.

4. It is thus submitted by Mr. Banerjee that appropriate relief/reliefs may be granted to the writ petitioner in terms of the prayers made in the instant writ petition.
5. Such prayer is vehemently opposed by Mr. Mitra, learned advocate appearing for the respondent/State. It is submitted by him that in absence of any cogent material, there is hardly any scope to pass any favourable order.
6. Considering 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. 3/authority to take a demarcation report from the office of the jurisdictional BL & LRO within 30 working days from the date of communication of the server copy of this order and provide a copy of the same to the writ petitioner and/or his authorized representative.
7. The respondent no. 3/authority is further directed to consider the representation dated 13.09.2023 as submitted by the writ petitioner in the light of the demarcation report as would be submitted by the jurisdictional BL & LRO and after giving a chance of hearing to the writ petitioner and/or his authorized representative and/or any other stakeholder(s), if there be any and shall pass a reasoned order and shall forthwith communicate the same to the writ petitioner

preferably by mail, if the mail details of the writ petitioner is provided to him at the time of hearing.

8. The entire exercise as indicated in the foregoing paragraphs is to be completed within 60 working days by the respondent no. 3/authority.
9. Liberty is given to the learned advocate on record for the writ petitioner to communicate the server copies of this order to the respondent no. 3/authority as well as to the jurisdictional BL & LRO forthwith.
10. The respondent no. 3/authority and the jurisdictional BL & LRO are hereby directed to act on the basis of the server copy of this order.
11. The time limits as fixed by this Court are mandatory and peremptory.
12. With the aforementioned observations, the instant writ petition being **WPA 24497 of 2023** is disposed of.
13. Before parting with, it is further made clear that in the event while passing the reasoned order on the representation of the writ petitioner, the respondent no. 3/authority finds sufficient justification in such representation, he shall forthwith initiate appropriate action for acquisition of land of the writ petitioner and to disburse adequate compensation in accordance with law by way of a publication of award.
14. 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.)