

Item-
19. 04-12-2025

WPA 25219 of 2025

sg

Ct. 19

Abdul Gaffar @ Abdul Gaffar Mondal, since deceased,
represented by Md. Jamil Akta & Ors.
Versus
The State of West Bengal & Ors.

Mr. Avijit Saha

...for the petitioner

Mr. Runu Chowdhury

Mr. Arindam Mitra

...for the State

Pursuant to the order dated 25th November, 2025, a report in the form of an affidavit has been filed by the respondent no.3, which is taken on record.

The petitioners have sought for a direction upon the Special Land Acquisition Officer, North 24 Parganas, Barasat to disburse all the awarded amount along with interest to the petitioner.

In annexure R/2 of the said report, the details of the calculation of the revised amount payable as per the individual share has also been indicated therein.

Mr. Runu Chowdhury, learned Advocate representing the State, submits that the some excess payment on account of structural compensation was made to some of the awardees and the Project Director of the National Highways Authority of India issued a letter to the competent authority to identify the awardees who have received excess payment against the structural compensation for necessary deduction/recover of excess payment from the compensation against the Arbitration Award before disbursement.

Mr. Chowdhury submits that in order to identify the

awardees, who have received excess payment against the structural compensation and for recovery of such excess amount, the petitioner should be directed to appear before the competent authority on a fixed date so that proper identification of the awardees, who have received excess payment against the structural compensation, can be made.

Mr. Chowdhury suggests that the petitioner be directed to appear before the competent authority being the Additional District Magistrate (LA), North 24 Parganas, Barasat on 7th January, 2026 at about 3 PM.

The learned Advocate for the petitioner accepts such suggestion of Mr. Chowdhury and he submits that the petitioner shall appear before the competent authority on 7th January, 2025 at about 3 PM.

In the light of the submissions made by the learned Advocates for the respective parties, the writ petition is disposed of by directing the petitioner to appear before the competent authority being the Additional District Magistrate (LA), North 24 Parganas, Barasat, on 7th January, 2026 at or about 3 pm.

It will be open to the petitioner to produce materials/documents in support of his claim as well as for contradicting the calculation made by the authority.

The competent authority shall pass a reasoned order which shall be communicated to the petitioner within a period of three weeks thereafter.

The amount payable to the petitioner after adjustment, if any shall be released immediately thereafter.

With the above observation and directions, WPA

25219 of 2025 stands disposed of.

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

(Hiranmay Bhattacharyya, J.)