

Sl.11
28.11.2025
Court No.19
BP

WPA 26026 of 2025

Sanjib De
-versus-
The State of West Bengal & Ors.

Mr. Md. Nurezaman
Mr. Tapan Kumar Ray
..for the petitioner

Mr. Lalit Mohan Mahata, Ld. A.G.P.
Mr. Himadri Kumar Mahata
..for the State

The petitioner claims to be the owner of plot no. 2110 within Mouza Belgram under Police Station Galsi in the District of Purba Bardhaman. The petitioner alleges that the aforesaid plot of land was utilized for the purpose of extension of National Highway and the competent authority under the National Highways Act, 1956 passed an award determining the compensation amount. Being dissatisfied with the amount determined by the competent authority the petitioner submitted a representation before the competent authority for land acquisition (for short CALA) praying for redetermination of the market value of the plot of land utilized for the purpose of extension of National Highway.

Mr. Mahata, learned Additional Government Pleader submits that if a person is dissatisfied with the award passed by the competent authority the remedy lies before the arbitrator to be appointed by the Central Government under the provisions of Section 3G(5) of the 1956 Act.

Since the petitioner is not ready to accept the amount determined by the competent authority, it is well open to such person to approach the arbitrator under the provisions of Section 3G(5) of 1956 Act.

In view thereof, WPA 26026 of 2025 stands disposed of by giving liberty to the petitioner to approach the appropriate authority in accordance with the provisions of the National Highways Act, 1956.

It is, however, made clear that this Court has not gone into the issue whether determination made by the competent authority is correct or not.

There shall be, however, no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied to the parties expeditiously on compliance of usual legal formalities.

(Hiranmay Bhattacharyya, J.)