

Sl. 4
02.12.2025
Court No.19
BP

WPA 26606 of 2025

Ajiman Bibi & Ors.
-versus-
State of West Bengal & Ors.

Mr. Tanmoy Mukherjee
Mr. Swapan Kumar Kar
Mr. Debasis Sur
..for the petitioners

Mr. Ayan Banerjee
Ms. Sharmila Deb
..for the State

Affidavit of service filed in Court today is taken on record.

State is represented by its learned advocate.

The property of the petitioners was acquired for the purpose of Truck Terminal Cum Paribahan Nagar vide L.A. Case No. 4/24 of 2007-08. The Land Acquisition Collector declared the award on March 17, 2011 fixing the market value at a particular rate. Some of the awardees filed a reference case before the court seeking higher valuation and by a judgement and award dated 6th February, 2025 the Land Acquisition Judge, 3rd Court at Barasat enhanced the valuation of the acquired land.

The petitioners filed an application under Section 28A of the Land Acquisition Act, 1894 before the Land Acquisition Collector praying for re-determination of the compensation in terms of the judgement and decree dated

February 6, 2025 passed in reference case number being L.A. 186-189 of 2019.

Mr. Mukherjee, learned advocate appearing for the petitioners submits that the application under Section 28A of the Land Acquisition Act, 1894 was submitted before the Collector within the time limit specified in the statute. He submits that though the application was filed on 2nd April, 2025 but till date no decision on such application has been communicated to the petitioners.

Heard the learned advocate for the State.

Since an application under Section 28A of the Land Acquisition Act, 1894 has been submitted, the concerned authority is obliged to take a decision on such application and pass an order thereupon.

In the light of the submissions made by the learned advocate for the respective parties, the writ petition stands disposed of by directing the Collector, 24 Parganas (North) being the 2nd respondent to consider the application filed by the petitioner under Section 28A of the Land Acquisition Act, 1894 and to dispose of the same by passing a reasoned order in accordance with law and communicate the reasoned order to the petitioner immediately thereafter. The entire exercise shall be completed as expeditiously as possible but positively within a period of four weeks from the date of receipt of a server copy of this order.

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.)