

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Jurisdiction**

W.P.A 2611 of 2024

**Sonapur Samabay Krishi Unnayan Samity
Limited
-versus
The State of West Bengal & Ors.**

**Mr. Subinay Dey,
Mr. Debanjan Das,
Mr. Supriya Roy.
...For the Petitioner.**

**Mr. Hirak Barman.
Mr. Sumit Kumar.
...For the State.**

**Ms. Supriya Singh.
...For NHAI.**

1. The petitioner's prayer seeking compensation on account of acquisition of its land has been kept pending and not disposed of.

2. Learned advocate appearing on behalf of the State respondents relies upon the instruction forwarded by the Special Land Acquisition Officer, Jalpaiguri vide Memo No. 256/LA dated 11th March, 2025 wherefrom it appears that the subject land has been found to be classified as hospital under the Department of Health, Government of West Bengal.

3. The authority claims that the petitioner remained absent in the hearing which was conducted on 25th August, 2015. In the absence of proper determination of the status of the land, compensation can neither be ascertained nor disbursed.

4. Learned advocate appearing on behalf of the petitioner refers to the record of rights annexed to the writ petition wherefrom it appears that the subject land has been recorded in the name of the petitioner but classified as hospital.

5. Learned advocate appearing on behalf of the petitioner asserts that the representative of the petitioner was present at the time of hearing.

6. As it appears that the claim of the petitioner seeking compensation is pending consideration at the end of the authority, accordingly, the instant writ petition is disposed of by directing the Special Land Acquisition Officer, Jalpaiguri to consider the prayer of the petitioner for grant of compensation in accordance with law after giving reasonable opportunity of hearing to the petitioner to place documents in support of ownership/possession of the subject land.

7. The prayer of the petitioner shall be disposed of at the earliest but positively within a period of twelve weeks from the date of communication of this order.

8. If the claim of the petitioner appears to be proper, then necessary consequential steps shall be taken for disbursement of compensation or else reason(s) for denial of the claim shall be made known to the petitioner.

9. The writ petition stands disposed of.

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

(Amrita Sinha, J.)