

Court No. 19
(265719)

12.03.2026

(AD 23 to 53,
55 and 63)

(S. Banerjee)

WPA 1922 of 2026

Nityabasi Sekh & Ors.
Vs.
State of West Bengal & Ors.

with

WPA/2134/2026
SAHAJAHAN SHAIKH AND ORS.

VS
UNION OF INDIA AND ORS.

WITH

WPA/2139/2026
MAHENECHHA SEKH @ MEHENNECHHA
KHATUN

VS
UNION OF INDIA AND ORS.

WITH

WPA/2148/2026
NIYAR ALI SEKH @ NIYAR SEKH AND ANR.

VS
UNION OF INDIA AND ORS.

WITH

WPA/2157/2026
KITAB ALI SEKH @ KITAB SEKH

VS
UNION OF INDIA AND ORS.

WITH

WPA/2164/2026
SIRAJ SEKH

VS
UNION OF INDIA AND ORS.

WITH

WPA/2165/2026
NAZRUL HAQUE

VS
UNION OF INDIA AND ORS.

WITH

WPA/2167/2026
MAHIRUDDIN MONDAL

VS
UNION OF INDIA AND ORS.

WITH

WPA/2168/2026
SANTIMALA KHATUN

VS
UNION OF INDIA AND ORS.

WITH

WPA/2171/2026
MANORUDDIN SK. @ MANRUDDIN SEKH

VS
UNION OF INDIA AND ORS.

WITH
 WPA/2310/2026
 HASANSARWAR UDDIN BISWAS AND ORS.
 VS
 UNION OF INDIA AND ORS.
 WITH
 WPA/2312/2026
 RASIDUL MONDAL
 VS
 UNION OF INDIA AND ORS.
 WITH
 WPA/2315/2026
 MAHIRUDDIN MONDAL AND ORS.
 VS
 UNION OF INDIA AND ORS.
 WITH
 WPA/2322/2026
 KUDRUTEKHODA SEKH
 VS
 UNION OF INDIA AND ORS.
 WITH
 WPA/2325/2026
 RAMA GHOSH
 VS
 UNION OF INDIA AND ORS.
 WITH
 WPA/2327/2026
 NEHAJUDDIN SEKH
 VS
 UNION OF INDIA AND ORS.
 WITH
 WPA/2332/2026
 ROMEO SK. AND ORS.
 VS
 UNION OF INDIA AND ORS.
 WITH
 WPA/2334/2026
 MATIUR RAHAMAN @ MOTIUR RAHAMAN AND
 ORS.
 VS
 UNION OF INDIA AND ORS.
 WITH
 WPA/2501/2026
 GOBINDAPUR KALIMATA THAKURANI SEBAYEAT
 SAMITI AND ANR.
 VS
 UNION OF INDIA AND ORS.
 WITH
 WPA/2510/2026
 RAFIKUL MONDAL
 VS
 UNION OF INDIA AND ORS.
 WITH

WPA/2910/2026
SAHIDUL MONDAL AND ORS.
VS

UNION OF INDIA AND ORS.
WITH

WPA/2914/2026
ABBAS ALI MONDAL AND ANR
VS

UNION OF INDIA AND ORS.
WITH

WPA/2918/2026
KUDDUS SHAIKH AND ANR.
VS

UNION OF INDIA AND ORS.
WITH

WPA/2925/2026
GOLAM MOSTAFA SEKH
VS

UNION OF INDIA AND ORS.
WITH

WPA/2930/2026
KAJAL SK.

VS
UNION OF INDIA AND ORS.
WITH

WPA/2937/2026
ABUL KALAM AZAD AND ANR.
VS

UNION OF INDIA AND ORS.
WITH

WPA/2943/2026
AKIDA BIBI SK.

VS
UNION OF INDIA AND ORS.
WITH

WPA/2951/2026
SAFIULLAH MONDAL AND ORS.
VS

UNION OF INDIA AND ORS.
WITH

WPA/2954/2026

KADAR ALI SK. AND ANR.
VS

UNION OF INDIA AND ORS.
WITH

WPA/2956/2026
PATAI SEKH AND ANR.

VS
UNION OF INDIA AND ORS.
WITH

WPA/2959/2026

ASRAFUDDIN SEKH AND ANR.
VS
UNION OF INDIA AND ORS.

with
WPA 25931 of 2025
Oyachher Ali Mondal @ Oyachher Mondal
Vs.
Union of India & Ors.

with
WPA 2137 of 2026
Majibar Mondal & Ors.
Vs.
State of West Bengal & Ors.

Mr. Ivan Roy,
Mr. Nirupam. Dutta,
... ... For the Petitioners

Mr. Ujjal Roy
Mr. Ivan Roy
Mr. Nirupam. Dutta,
... ... For the Petitioners (in WPA 25931
of 2025 and WPA 2137 of 2026)

Ms. Manika Roy,
Ms. A. Chowdhury,
Mr. Atanu Sur,
... ... For the NHAI

Mr. Lalit Mohan Mahata, AGP
Ms. Sangeeta Roy,
Ms. Sanjukta Samanta,
Mr. Prasanta Bihari Mahata,
... ...For the State in WPA/1922/2026

Mr. Amit Gupta,
Mr. Arindam Mitra,
... ...For the State in WPA/2134/2026

Mr. Ayan Chandra Roy,
Mr. Sutanu Chakrabarti,
... ...For the State in WPA/2139/2026

Mr. Pradip Kumar Mondal
Mr. Subhojit Chowduhry,
... ...For the State in WPA/2148/2026

Mr. Arindam Chattopadhyay,
Mr. Sandip Chattopadhyay
... ...For the State in WPA/2157/2026

Mr. K. J. Yusaf,
Mr. Pradyot Kr. Das
... ...For the State in WPA/2164/2026

Mr. Tapas Kumar Adhikary,
Mr. Subrata Bhattacharya
... ...For the State in WPA/2165/2026

Mr. Nirmalya Biswas,
Mr. Parikshit Goswami
... ...For the State in WPA/2167/2026

Mr. Md. Mansoor Alam,
Mr. Milan Kr. Maiti
... ...For the State in WPA/2168/2026

Mr. Debjit Mukherjee,
Ms. Priyanka Jana
... ...For the State in WPA/2171/2026

Mr. Md. Manuwar Ali,
Mr. Mostafijur Rahaman
... ...For the State in WPA/2310/2026

Mr. Rajendra Chaturvedi,
Mr. Rakesh Singh
... ...For the State in WPA/2312/2026

Mr. Lalit Mohan Mahata, AGP
Mr. Prasanta Behari Mahata
... ...For the State in WPA/2315/2026

Ms. Sucharita Roy Bhattacharya
... ...For the State in WPA/2322/2026

Mr. Pantu Deb Roy,
Mr. Pannalal Bandyopadhyay,
... ...For the State in WPA/2325/2026

Ms. Rama Halder,
Mr. Rajjak Hossain
... ...For the State in WPA/2327/2026

Mr. Srijan Nayak,
Mr. Sandipan Maiti
... ...For the State in WPA/2332/2026

Mr. Chandi Charan De, AGP
Ms. Chandana Ghosh
... ...For the State in WPA/2334/2026

Mr. Sadhan Kr. Halder,
 Mr. Samir Kumar Ghosh,
For the State in WPA/2501/2026
 Mr. Bivek Jyoti Basu,
 Mr. Debasish Kar,
For the State in WPA/2510/2026

Mr. Md. Ahsanuz Zaman,
 Mr. Mohaimenul Mondal,
For the State in WPA/2910/2026

Mr. Sayan Datta,
 Ms. Soma Chakraborty,
For the State in WPA/2914/2026

Mr. Sombuddha Dutta,
 Mr. Abhishek Chakraborty,
For the State in WPA/2918/2026

Mr. Sanjib Das,
For the State in WPA/2925/2026

Mr. Rabindra Nath Pal,
 Ms. Saira Banu,
For the State in WPA/2930/2026

Mr. Ashim Kr. Ganguly,
 Mr. Bellal Shaikh,
For the State in WPA/2937/2026

Mr. Indrajeet Ghosh,
For the State in WPA/2951/2026

Mr. Soumitra Bandyopadhyay, Sr. Govt. adv.,
 Mr. Subhasis Bandyopadhyay,
For the State in WPA/2954/2026

Mr. Sujoy Mondal,
 Mr. Biswajit Das,
For the State in WPA/2956/2026

Mr. Ayan Banerjee,
 Mr. Amman Arif Ansari,
For the State in WPA/2959/2026
 Mr. Chandi Charan De, Ld. AGP
 Mr. Anirban Sarkar
For the State in WPA/25931/2025

Sk. Md. Galib
 Ms. Sujata Mukherjee
For the State in WPA/2137/2026

Mr. Amit Meharia
 Ms. Paromita Banerjee
 Mr. Sayan Dey

Mr. Yash Mahmia

Ms. Manika Roy

... ...For the NHAI in WPA/25931/2025

Ms. Manika Roy

... ...For the NHAI in WPA/2137/2026

It has been pointed out by the learned advocates appearing for the State in WPA 2148 of 2026 and WPA 2956 of 2026 that their names have not been recorded in the above two matters on February 17, 2026.

The names of the learned advocates representing the State in WPA 2148 of 2026 and WPA 2956 of 2026 today, shall stand incorporated as the learned advocates representing the State on February 17, 2026 also for all practical purposes.

It has been uniformly submitted by the learned advocate appearing for the petitioner, the State and the NHAI (in WPA 25931 of 2026 and WPA 2137 of 2026) that the issue involved in these two writ petitions is same and identical with the issues involved in the batch of writ petitions, the lead case being WPA 1922 of 2026.

In view thereof, these two writ petitions are also taken up for analogous hearing along with the said batch.

Learned advocates appearing for the State in WPA 25931 of 2025 and WPA 2137 of 2026 have filed the reports of the District Magistrate as well as ADM, Land Acquisition which are taken on record. Copies of such report have been supplied to the learned advocate appearing for the petitioner.

Pursuant to the earlier order dated February 17, 2026, the Special Land Acquisition Officer, Nadia has filed the report dated February 20, 2026 which is taken on record. Copy of such report has been supplied to the learned advocate appearing for the petitioners.

Learned advocate appearing for the National Highway Authority of India also files a report which is taken on record. Copy of such report has been supplied to the learned advocate appearing for the petitioner.

After perusing the said reports this Court finds that the lands of the petitioner was notified under LA Case No. 4/M-3/NH/18-19 under Section 3A of the National Highways Act, 1956 on April 5, 2026; declaration under Section 3D was subsequently published on April 2, 2019 whereupon the land vested absolutely in the Central Government. The competent authority assessed the valuation and

forwarded the appropriate estimate for final determination and approval by the NHAI. It is not in dispute that some of the petitioners have already received the compensation.

Learned advocate appearing for the petitioners raises a dispute as to the quantum of compensation determined by the competent authority.

Section 3G(5) of the 1956 Act states that if the amount determined by the competent authority under sub-section (1) or sub-section (2) is not acceptable to either of the parties, the amount shall, on an application by either of the parties, be determined by the arbitrator to be appointed by the Central Government.

Section 3G(6) of the 1956 Act states that subject to the provisions of this Act, the provisions of the Arbitration and Conciliation Act, 1996 shall apply to every arbitration under the said Act.

Since it appears from the submission of the learned advocate appearing for the petitioners that the amount determined by the competent authority is not acceptable to the petitioners, the petitioners have to avail of the remedy prescribed in the 1956 Act. The writ petitions accordingly stand disposed of by leaving

the petitioners free to approach the arbitrator in accordance with the provisions as laid down under Section 3G(5) of the 1956 Act.

In case the petitioners approach the arbitrator, the arbitrator shall decide the same in accordance with law as expeditiously as possible but positively within a period of four months from the approach being made by the petitioners.

(Hiranmay Bhattacharyya, J.)