

Court No. 19
(265719)

18.02.2026
(AD 11)
(S. Banerjee)

WPA 3315 of 2026

Kajal Biswas & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Saikat Gayen

...for the petitioners

Ms. Sharmila Deb

...for the State

Petitioners allege that in spite of an application under Section 18 of the Land Acquisition Act, 1894 being submitted before the Land Acquisition Collector praying for referring the matter to the Court for deciding the dispute raised therein, no steps have been taken by the Collector to refer the matter for the determination of the Court.

None appears for the State.

Ms. Deb, who usually appears for the State, is present in Court and is requested to appear in this matter.

Let the appointment of Ms. Deb be regularised by the concerned authorities.

A time limit has been specified in the statute for filing an application under Section 18 of the Land

Acquisition Act, 1894. Therefore, unless the application is filed within the time, the Collector is not obliged to refer the matter for the determination of the Court.

Without entering into the issue of limitation, this writ petition stands disposed of by directing the Land Acquisition Collector, North 24 Parganas, being the respondent no. 2 herein, to consider the application filed by the petitioners seeking reference under Section 18 of the Land Acquisition Act, 1894 which was received by the office of the said respondent on December 5, 2028 and to take a decision thereupon.

If the said respondent is of the view that the application was filed within the time and the same falls within the scope of Section 18 of the 1894 Act, necessary steps in accordance with law shall be taken as expeditiously as possible but positively within a period of four weeks from the date of receipt of a server copy of this order together with a copy of the application which was received by the office of the respondent no. 2 on December 5, 2028.

In the event the Collector is of the view that the said application cannot be referred, reasons therefor

are to be communicated to the petitioners within the time limit indicated hereinabove.

(Hiranmay Bhattacharyya, J.)