

Court No. 19
(265719)

18.02.2026
(AD 9)
(S. Banerjee)

WPA 3310 of 2026

Mhommad Hossain & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Saikat Gayen

...for the petitioners

Mr. Soumitra Bandyopadhyay
Mr. Priyabrata Batabyal

...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 for determination of the Court with regard to the disputes falling within the scope of Section 18 of the 1894 Act, no steps have been taken by the Collector to refer the matter for the determination of the Court.

Learned advocate appearing for the State submits that a time limit has been specified in the statute for filing an application under Section 18 of the Land Acquisition Act, 1894. He submits that unless the application is filed within the prescribed 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 20.01.2025 and to take a decision thereupon.

If the said respondent is of the view that the application was filed within the prescribed time limit and the same falls within the scope of Section 18 of the 1894 Act, necessary steps in accordance with law shall be taken to refer the matter for determination of the Court 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 20.01.2025.

In the event the Collector is of the view that the matter cannot be referred to the Court, reasons therefor are to be communicated to the petitioners within the time limit indicated hereinabove.

(Hiranmay Bhattacharyya, J.)