

Item- 08-06-2026
A-25.

sg Ct. 19

WPA 10211 of 2026

Rajib Samui
Versus
The State of West Bengal & Ors.

Ms. Pampa Dey (Dhabal)
Ms. Sangita Banerjee
...for the petitioner
Mr. Nilanjan Bhattacharjee
Mr. Brijendra Pratap Singh
Mr. Puja Sonkar
..for the State
Mr. Madhu Jana
...for the UOI

Affidavit of service filed in Court is taken on record.

Learned Counsel appearing for the petitioner submits that the respondent authorities have been duly served. In spite of service, the State of West Bengal and the Union of India are not represented.

Mr. Bhattacharjee, learned Senior Standing Counsel, who usually represents the State of West Bengal, is present in Court and is requested to appear in this matter along with a junior of his choice.

Mr. Jana, learned Counsel, who usually represents the Union of India, is present in Court and is requested to appear in this matter.

Let the appointments of Mr. Bhattacharjee along with a junior of his choice and the appointment of Mr. Jana be regularized by the competent authorities.

Let a copy of the writ petition be served upon the junior of Mr. Bhattacharjee and Mr. Jana in course of this day.

The petitioner alleges that the property of the petitioner has been utilized for the purpose of construction of

Bowachandi-Arambag Broadgage Railway under the South Eastern Railway. The petitioner alleges that though the property of the petitioner has been utilized for the said project but no compensation has been paid to the petitioner till date. The petitioner claims to have submitted a representation dated 16th March, 2026 before the Divisional Railway Manager, South Eastern Railway being the 8th respondent.

The learned Advocate appearing for the petitioner submits that no decision on such representation has been communicated to the petitioner till date.

Mr. Jana, learned Counsel appearing for the Union of India submits that the decision on such representation shall be communicated to the petitioner within the time limit as may be fixed by the Court.

Without entering into the merits of the claim made by the writ petitioner in the representation dated 16th March, 2026, the writ petition stands disposed of by directing the Divisional Railway Manager, South Eastern Railway, being the 8th respondent to consider the representation of the petitioner dated 16th March, 2026 and to dispose of the same by passing a reasoned order after affording an opportunity of hearing to the petitioner or its authorized representative and to communicate the reasoned order to the petitioner immediately thereafter. The entire exercise shall be completed by the 8th respondent as expeditiously as possible but positively within a period of eight weeks from the receipt of a server copy of this order along with a copy of the representation dated 16th March, 2026.

It will be open to the petitioner to produce the materials in support of his claim and if such materials are

produced, the respondent no.8 shall consider the same while passing the reasoned order.

If such authority decides in favour of the petitioner, necessary steps in accordance with law shall be taken immediately thereafter.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Hiranmay Bhattacharyya, J.)