

A. 33
09.06.2026
Court No.19
BP

WPA 10351 of 2026

Biswajit Roy
-versus-
The State of West Bengal and others

Mr. Manish Kumar Das
..for the petitioner

Mr. Nilanjan Bhattacharjee
Ms. Jayita Dhar Chakraborty
Mr. Rhitan Chatterjee
..for the State

Mr. Ajay Gaggar
Ms. Srijeeta Gupta
..for the Union of India

Mr. Bhattacharjee, learned Senior Standing Counsel, who usually represents the State and is present in Court today, is requested to appear in this matter along with a junior of his choice. Let the appointment of Mr. Bhattacharjee along with a junior of his choice be regularized by the concerned authority.

The petitioner alleges that the property of the petitioner has been utilized for the purpose of laying down the railway tracks under Deshapran-Nandigram project. The petitioner alleges that though the property of the petitioner has been utilized but compensation in respect thereof has not yet been paid to the petitioner. The petitioner claims to have submitted representations before various authorities which appears at page 29 of this writ petition.

The learned advocate appearing for the petitioner submits that in spite of receipt of such representation no decision on the petitioner's representation has been communicated to the petitioner till date.

The learned advocate appearing for the Railways submits that the Deputy Chief Engineer (Con)/Land, South Eastern Railway being the 5th respondent is the appropriate authority to take a decision on the issues raised by the petitioner in this writ petition. She however submits that no representation has been addressed to the 5th respondent.

It is however not in dispute that a copy of the representation has been served upon the Divisional Railway Manager, South Eastern Railway being the 6th respondent.

In view thereof, this Court directs the Divisional Railway Manager, South Eastern Railway being the 6th respondent to forward a copy of the representation which is annexed at page 29 of the writ petition to the Deputy Chief Engineer (Con)/Land, South Eastern Railway being the 5th respondent who shall immediately upon receipt of such representation consider the same and pass a reasoned order after affording an opportunity of hearing to the petitioner or his authorized representative and communicate the reasoned order to the petitioner 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 which appears at page 29 of this writ petition. The petitioner is directed to communicate this order to the respondent nos. 5 and 6. If such authority decides in favour of the petitioner consequential steps in accordance with law shall be taken by such authority.

With the above observations, the writ petition stands disposed of.

There shall be however no order as to costs.

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

(Hiranmay Bhattacharyya, J.)