

01-04-2026

Ct. 19

WPA 9982 of 2025

Radha Rani Barai & Ors.

Versus

State of West Bengal & Ors.

Ms. Deblina Lahiri

Ms. Moumita Sharma

Mr. Mrinmoy Chatterjee

...for the petitioners

Mr. Supratim Dhar, Sr. Adv.

Ms. Tuli Sinha

...for the State

Mr. Dipankar Das

...for the NHAI

The primary grievance of the petitioners is that though the portion of the property of the petitioners has been acquired and utilized for the purpose of expansion of National Highway, but in spite of request being made by the petitioners, no steps for demarcation of the same has been made as yet.

When the matter was taken up lastly on 23rd February, 2026, the submission of the learned Advocate for the petitioners was recorded that the petitioners duly attended the locale pursuant to the notice dated 16th December, 2022 but no report of the joint inspection has been supplied to the petitioners. This Court, accordingly, directed the Special Land Acquisition Officer, Nadia to file a report of the joint inspection and the steps taken pursuant to the notice dated 1st March, 2024.

Today, a report has been filed by the Special Land Acquisition Officer, Nada, which is taken on record.

A copy of such report has been supplied to the learned Advocates for the petitioners and the National Highway Authority of India.

After going through the said report, this Court finds

that though the inspection was held on 13th March, 2024 but no report has been prepared. The allegation of the petitioners is that, only a portion of their property has been utilized.

The petitioners allege that due to lack of proper demarcation, the petitioners are unable to utilize the un-acquired portion according to the desire of the petitioners.

The learned Advocate appearing for the State submits that a fresh demarcation exercise shall be conducted within such time that may be allowed by this Court.

In the light of the submissions made by the learned Advocates for the respective parties, this writ petition stands disposed of by directing the Special Land Acquisition Officer, Nadia, being the sixth respondent, to depute a competent Amin/Surveyor for the purpose of demarcation of the acquired areas upon prior service of notice to the petitioners, NHAI and any other person(s) who may be affected by such demarcation and to demarcate the acquired area.

A report of such demarcation along with sketch map shall have to be prepared and the same shall be supplied to the petitioners, NHAI and any person(s) who may be affected by such demarcation.

The entire work of demarcation including forwarding the report to the respective parties shall be completed as expeditiously as possible but positively on or before May 15, 2026.

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

(Hiranmay Bhattacharyya, J.)