

Item- 21-05-2026
3.

WPA 10875 of 2026

sg Ct. 19

Kaberi Bag
Versus
Union of India & Ors.

Mr. Gazi Faruque Hossaion
Mr. Rakib Hossaion
Mr. Aniruddha Maity
...for the petitioner

Ms. Manika Roy
Mr. Atanu Sur
...for the NHAI

Mr. Suman Chattopadhyay
Ms. Tapasi Sinha Palit
..for the respondent no.1

Affidavit of service filed in Court is taken on record.

Learned Counsel for the petitioner submits that the respondent authorities have been duly served. In spite of service, none appears for the National Highway Authority of India.

Ms. Manika Roy, learned Advocate, who usually represents the National Highway Authority, is present in Court and is requested to appear in this matter.

Let her appointment be regularized by the competent authority.

Let a copy of the writ petition be served upon Ms. Roy in course of the day.

The learned Advocate appearing for the petitioner submits that the property of the petitioner has been utilized for the purpose of widening of National Highway but no compensation in respect therefor has been paid.

After going through the representation annexed to the writ petition, Ms. Roy submits that the petitioner has alleged encroachment upon the National Highway and she seeks an accommodation to take instruction in this regard.

The learned Advocate appearing for the petitioner submits that the grievance of the petitioner, insofar as the encroachment upon the National Highway is concerned, stands redressed and the present grievance of the petitioner is with regard to non-payment of compensation in respect of the portion of the plot of the petitioner, which has been utilized by the National Highway.

However, after going through the representation, which is annexed to this writ petition, this Court finds that the said representation states for the removal of encroachment as well as for payment of compensation. No representation has also been submitted before the appropriate authority of the National Highway insofar as the grievance of the petitioner relates to non-payment of compensation.

Faced with such situation, the learned Advocate for the petitioner prays for leave to submit a comprehensive representation before the appropriate authority.

Ms. Roy submits that the Project Director, Project Implementation Unit of the National Highway of India is the appropriate authority to consider the issue relating to acquisition of any land for the purpose of National Highway.

Ms. Roy submits that the Project Director can only consider the case of the petitioner if the land of the petitioner has at all been acquired or utilized by the National Highway. Such submission is placed on record.

In view of submissions made by the learned Advocates for the respective parties, this writ petition stands disposed of by giving liberty to the petitioner to submit a comprehensive representation before the appropriate authority ventilating his grievance insofar as the allegation of

utilization of the property of the petitioner is concerned.

If such a representation is submitted, the competent authority shall consider and dispose of the same by passing a reasoned order as expeditiously as possible and communicate such reasoned order to the petitioner.

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

(Hiranmay Bhattacharyya, J.)