

Sl. 5
18.06.2026
Court No.19
BP

WPA 11771 of 2026

Abdul Mokim & Ors.
-versus-
The State of West Bengal & Ors.

Ms. Faria Hossain
Mr. Md. Ali Ahasan
Ms. Suparna Chatterjee
..for the petitioners

Mr. Dipan Kumar Das
..for the respondent no.3

Mr. Nilanjan Bhattacharjee, Sr. Standing Counsel
Ms. Jayita Dhar Chakraborty
..for the State

The petitioners claim that their father and uncle jointly purchased a plot of land being R.S. Dag No. 857 within Mouza Thakurpur, J.L. No. 146 under Police Station Nalhati in the District of Birbhum. The said property was the subject matter of acquisition being LA Case No. 02/2022-2023 for the purpose of construction of National Highway No. 116A.

The learned advocate appearing for the petitioners submits that though the names of the petitioners have been duly recorded in the record of rights but compensation in respect of the aforesaid plot of land has not been paid to the petitioners till date.

The learned advocate representing the National Highway Authority of India submits that at the point of time when the acquisition proceeding was initiated the

plot in question was recorded in the name of the erstwhile owners and not the petitioner.

The learned advocate appearing for the petitioners however does not dispute such factual position.

Heard the learned advocate for the State.

Section 3H(3) of the National Highways Act, 1956 states that where several persons claim to be interested in the amount deposited under sub-section (1), the competent authority shall determine the persons who in its opinion are entitled to receive the compensation payable to each of them.

The learned advocate appearing for the National Highway Authority of India, on instructions, submits that till date the compensation amount has not been determined by the competent authority.

The petitioners have submitted a representation through their learned advocate's letter dated 26th February, 2026 before several authorities including the District Magistrate, Birbhum being the competent authority under the National Highways Act, 1956.

In view thereof, this Court directs the District Magistrate, Birbhum to consider the representation of the petitioners dated 26th February, 2026 and dispose of the same by passing a reasoned order as expeditiously as possible but positively within a period of eight weeks from receipt of a server copy of this order.

With the above observations, WPA 11771 of 2026 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.)