

Court No. 19
(265719)

24.06.2026

(A 173)

(S. Banerjee)

WPA 22381 of 2025

Ramkrishna Hati & Ors.

Vs.

Union of India & Ors.

Mr. Amitava Chowdhury

...for the petitioners

Mr. K. Dalal

Ms. Rama Chakraborty

... for the Union of India

Mr. Nilanjan Bhattacharjee, SSC

Ms. Jayita Dhar Chakraborty

Mr. Rhitam Chatterjee

...for the State

Petitioners allege that except the petitioners, no other person are entitled to receive compensation in respect of acquisition of the plot of land being Dag No. 656.

From the materials disclosed in this writ petition this Court finds that several plots were acquired for the purpose of National Highway by NHAI. Plot No. 656 also falls with the scope of the said acquisition. Notice under Section 3G(4) of the National Highways Act, 1956 was issued to the person interested. Compensation amount has also been determined by the Competent Authority. A revised Award was also published under Section 3H(2) of the 1956 Act. Petitioners submitted a representation before the District Magistrate and Collector raising a dispute as to the entitlement of the

persons whose names and particulars have been mentioned in the representation addressed to the District Magistrate which is annexed at page 90 of the writ petition. It further appears that the petitioners have also submitted a representation before the District Magistrate and Collector by a letter dated December 28, 2023. Petitioners have prayed for a direction upon the respondent authorities to consider the representation and to dispose of the same.

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 amount payable to each of them.

Section 3H(4) of the 1956 Act, states that if any dispute arises as to the apportionment of the amount or any part thereof or to any person to whom the same or any part thereof is payable, the competent authority shall refer the dispute to the decision of the principal civil court of original jurisdiction within the limits of whose jurisdiction the land is situated.

After going through the representation annexed at pages 86 and 90 of the writ petition, this Court finds that the petitioners raised a dispute as to the entitlement of other persons to receive the compensation amount.

For such reason, this Court is of the considered view that interest of justice would be sub-served if the District Magistrate and Collector is directed to consider the representation of the petitioners and dispose of the same by passing a reasoned order within a specified time.

In view thereof, the writ petition stands disposed of by directing the District Magistrate and Collector, Bankura, and the Competent Authority being the 2nd respondent, to consider the representations of the petitioners annexed at pages 86 and 90 of the writ petition, and to dispose of the same by passing a reasoned order as expeditiously as possible but positively within a period of eight weeks from the receipt of the server copy of this order together with a copy of the aforesaid representations after affording an opportunity of hearing to the petitioners and any other person who may be affected by such decision or their authorized representatives. If the competent authority feels that such dispute is to be referred to the decision of the principal civil court of original jurisdiction, the said respondent shall take steps in accordance with law with the time limit mentioned hereinbefore.

(Hiranmay Bhattacharyya, J.)