

08.06.2026
Item No.18
Ct. No.1
KS

W.P.A. (P) 565 of 2022
Prasun Kumar Das
Vs.
Union of India & Ors.

Mr. Dhiraj Trivedi, Ld. D.S.G.I.
Ms. Oisani Mukherjee
Ms. D. Shaw
.....For the Respondent Nos.1 to 4

DICTATED BY PARTHA SARATHI SEN, J.:

1. None appears on behalf of the writ petitioner
and for the respondent/State.
2. Learned counsel for the Railway authority is,
however, present.
3. On perusal of the prayers of the writ petition
it reveals that the basic prayer of the writ
petitioner is for issuance of Writ of
Mandamus against the respondent authorities
for initiating the construction work of
Railway service from Kaliyaganj to
Buniadpur in the District of Uttar Dinajpur
and Dakshin Dinajpur in the State of West
Bengal.

4. At this juncture, Mr. Trivedi, learned counsel appearing on behalf of the Railway authority draws our attention to the copy of the communication dated 03.12.2025 as received by him from the Deputy Chief Engineer, Construction – III, N.F. Railway, Katihar.

5. On perusal of the said letter dated 03.12.2025 the following reveals:-

“Detailed Estimate sanctioned vide RB’s letter no. 2009/ W1/ NL/ NF/ Kaliaganj-Buniadpur dtd.29.12.2010 at Rs.222.22 Cr.

Sub structure of 03 nos. Major bridges no.1.18 & 29 are partially constructed in the year 2011-13 & work was stopped due to paucity of fund in the year 2013.

This project kept in abeyance vide letter W/25/CON/Budget/2019-20 dated 17.10.2019.

Project de-freeze-Vide Rly Bd’s L/No 2024/W-1/NFR/NL Kaliaganj-Buniadpur 11(E-3456638) dated-29.02.2024.

LA Proposal for 113.650 acre of land under Uttar Dinajpur was submitted to DM/Uttar Dinajpur on dt. 27.12.2024. Gazette notifications u/s 20A already published in local Newspaper on Dt. 18/08/2025 & 19/08/2025 under district Uttar Dinajpur, Survey work for Land Acquisition under district Uttar Dinajpur started on dated-24.11.2025.

LA Proposal for 301.04 acre of land under Dakshin Dinajpur was submitted to DM Dakshin Dinajpur on dt. 31.01.2025. Gazette notification u/s 20A for 109.43 acre of land has been published in the Gazette of India on dt. 29.10.2025. Further process is in progress for publishing in local news paper by the DM/Dakshin Dinajpur.

Revised Estimate of Kaliyaganj-Buniadpur N/L Project has been sanctioned by Railway Board for Rs.997.09 Cr. vide RB’s letter No. 2024 W-1/NFR/NL/Kaliaganj-Buniadpur/11 (E-3456638) dated 27.02.2025.

L- section for Kaliaganj-Buniadpur already approved.

GAD of all minor bridges (23 nos), RUB (29 nos) & major bridges (Br No- 15.44 & 45) & ESP of Kaliaganj, Fatehpur, Kushmandi, Aminpur & Buniadpur is under process of approval.

Fund allotment for the year 2025-26 is 128.10 crore."

6. At this juncture, if we look to the report of the respondent no.7 i.e. the Assistant Land Acquisition Officer, it reveals that in its report as affirmed on 22.01.2026, the said Land Acquisition Officer pointed out the following facts:-

"3 Proposal for acquisition of land for Kaliyaganj-Buniadpur New BG line project has been received from N.F. Railway on 27/12/2024 vide memo no.W/207/CON/KAJ-BNDP/LAND/Pt-I/2024/27 dated 26/12/2024 (113.650 Acre & 11 Km in Uttar Dinajpur District).

4. Administrative approval has been received on 20/01/2025 from the Special Secretary to the Govt. of West Bengal vide memo no. SS-77-LA/1R-35/11(pt) dated 20/01/2025.

5. Gazette Notification u/s 20A of the Railway Amendment Act, 2008 has been published on 05/08/2025 vide S.O. 3499.

6. Substance of the Notification has been published in the daily newspapers namely, 1) Aajkaal (Bengali edition) on 18/08/2025. 2) The Statesman (English edition) on 19/08/2025.

7. Survey works u/s 20B of the Railway Amendment Act, 2008 has been started on the field on and from 24/11/2025 onwards."

6. In view of progress, as noticed by us from the report of the respondent/State as well as the

Railway authority, we find that both the respondent/State as well as Railway authority have taken effective steps for initiating the work of Railway service from Kaliyaganj to Buniadpur in the District of Uttar Dinajpur and Dakshin Dinajpur in the State of West Bengal.

7. In view of such, we consider that no Writ is required to be issued upon the respondent authorities in view of positive action taken by them, as reflected in the earlier paragraphs.
8. With the aforementioned observation, the instant writ petition is disposed of.
9. Urgent photostat certified copy of this order, if applied for, be furnished to the parties expeditiously upon compliance of all legal formalities.

(SUJOY PAUL, CJ.)

(PARTHA SARATHI SEN, J.)