

A. 556
01.04.2026
Court No.19
BP

WPA 26162 of 2025
with
CAN 1 of 2025

Manasi Jana & Anr.
-versus-
The State of West Bengal & Ors.

Mr. Manoranjan Jana
..for the petitioners

Mr. Lalit Mohan Mahata, Ld. Addl. Govt. Pleader
Mr. Prasanta Behari Mahata
..for the State

Re: CAN 1 of 2025

After hearing the learned advocates for the respective parties and upon going through the averments made in the application, this Court is of the considered view that the petitioners were prevented by sufficient cause for not appearing when the writ petition stood dismissed for default on December 3, 2025.

Accordingly, the order dated December 3, 2025 stands recalled.

The writ petition is restored to its original file and number.

CAN 1 of 2025 stands allowed.

Re: WPA 26162 of 2025

The petitioners claim to the owners of certain plots of land within Mouza Narandia and Bararankua in the District of Purba Medinipur. The petitioners state that the compensation has not been paid to the petitioners in respect of the plots of land acquired. The petitioners submitted a representation before the competent authority requesting such authority not to release any compensation in favour of the private respondents. The petitioners submitted a representation before the competent authority dated 25th July, 2024.

Mr. Jana, learned advocate appearing for the petitioners submits that in spite of receipt of such representation no decision on such representation has been communicated to the petitioners till date.

Mr. Mahata, learned Additional Government Pleader files a report of the competent authority under National Highways Act, 1956 dated 2nd December, 2025 which is taken on record.

After going through the said report this Court finds that award in respect of the acquired land within Mouza Narandia was passed on 30th January, 2024 and for Mouza Bararankua was passed on 15th July, 2025. The said report further states that the payment in respect of Mouza Narandia has already been released in favour of the

recorded awardees and in respect of Mouza Bararankua the same is kept on hold.

After going through the averments made in the writ petition and the representation this Court finds that the petitioner has raised a dispute as to the apportionment of the amount of compensation as well as the person who is entitled to receive the same. Such a dispute falls within the scope of Section 3H(4) of the National Highways Act, 1956.

In the light of the submissions made by the learned advocates for the respective parties, WPA 26162 of 2025 stands disposed of by giving liberty to the petitioners to take appropriate steps in accordance with the provisions of the National Highways Act, 1956 for apportionment of the compensation amount and for determination as to whom such amount of compensation shall be payable.. If such a representation is submitted the competent authority shall take steps in accordance with law as expeditiously as possible but positively within a period of four weeks from the receipt of such representation.

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.)