

19.03.2026

WPA 27874 of 2024

Court No.19

Abdus Salam

Sl. 9

Vs.

The State of West Bengal & Ors.

BP

Mr. Gazi Faruque Hossain

Mr. Rakib Hossain Khan

...for the petitioner

Mr. Chandi Charan De, Ld. AGP

Mr. Anirban Sarkar

...for the State

On the prayer of the learned advocate for the petitioner, leave is granted to the learned advocate for the petitioner to add the Principal Secretary, Public Works Department as a party respondent in this writ petition.

The petitioner has prayed for a direction upon the respondent authorities to restore the possession of the lands in question to the petitioner, which is alleged to have been utilized for a public purpose and failing which compensation in accordance with the provisions of the Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation & Resettlement Act, 2013 be paid within a specified time.

Pursuant to a direction passed by this Court, a report in the form of an affidavit has been filed by the

Executive Engineer, Burdwan North Highway Division, P.W.(Roads) Directorate which is taken on record. A copy of such report in the form of an affidavit has already been supplied to the learned advocate for the petitioner.

It appears from the said report that two land acquisition cases were initiated, one in the year 1974-75 and the other one in the year 1993. The report further states that a Cabinet approval has been received on 22nd May, 2015 with regard to proposal for direct purchase of the required land in connection with the construction of Bhatar- Samanti Road with a link to Chhatni, Phase-1, for Bhatar to Kurmun including Burdwan-Katwa road. The report also states that consequent upon the Cabinet approval, map of the land to be purchased and the land schedule has been prepared and submitted to the District Land Purchase Committee in which R.S. Plot No. 159 and 192 of Mouza- Kubazpur, measuring about 25.9 decimal and 0.42 decimal of land respectively have been included in the land schedule for the direct purchase. The report further states that the petitioner has already expressed his willingness to offer the said plots on 8th October, 2015 under the direct land purchase policy. The report also states that the Chairperson of the Direct Land Purchase

Committee and District Magistrate, Purba Bardhaman has already submitted the proposal for approval and placement of fund to the department on 6th January, 2026 and as soon as the approval and fund has been received from this Department and the compensation amount will be paid as per current land purchase policy by the District Land Purchase Committee, Burdwan after necessary verification.

The learned advocate appearing for the petitioner does not dispute the fact that the petitioner has expressed his willingness in terms of the proposal for direct land purchase.

The land of the petitioner has been utilized and the proposal made for payment of compensation amount as per the Direct Purchase Policy has been accepted by the petitioner.

In view thereof, WPA 27874 of 2024 stands disposed of by directing the District Magistrate, Purba Bardhaman being the 2nd respondent to take further steps in the matter and ensure that the compensation amount is released in favour of the petitioner after necessary verification as expeditiously as possible but positively by the end of the month of June, 2026.

At this stage Mr. De, learned Additional Government Pleader submits that the Chairperson,

Direct Land Purchase Committee and the District Magistrate, Purba Bardhaman has already issued a letter dated 6th January, 2026 requesting the Principal Secretary, Public Works Department to provide the necessary funds and necessary direction be passed upon such respondent.

The Principal Secretary, Public Works Department is directed to comply with the directions contained in the letter being memo dated 6th January, 2026 and place the requisite funds as expeditiously as possible so that the District Magistrate can comply with the aforesaid direction within the time limit mentioned hereinbefore.

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.)