

Item-
14. 10-03-2026

sg Ct. 19

WPA 27879 of 2024

Sanjib Bhattacharya & Anr.
Versus
The State of West Bengal & Ors.

Mr. Gazi Farooque Hossain
Mr. Rakib Hossain Khan
...for the petitioners

Mr. Ayan Banerjee
Mr. Subhasis Bandopadhyay
Mr. Sujit Chatterjee
...for the State

The petitioners claim to be the recorded owners of RS plot nos. 1726 and 2088, within Mouza Kubajpur, under Police Station Bhatar, in the District of Purba Burdwan. The petitioners allege that the aforesaid plots of the petitioners have been utilized for the purpose of construction of Bhatar Samanti Road and Chatni Link Road under Bhatar Police Station without initiating any proceeding for acquisition or requisition.

The learned Advocate for the petitioners submits that though the property of the petitioners has been utilized for a public purpose but no compensation has been paid to the petitioners till date.

Pursuant to an order dated 6th February, 2026, the Special Land Acquisition Officer, Purba Burdwan filed a report dated 5th March, 2026 which is taken on record.

A copy of such report has already been supplied to Mr. Hossain, learned Advocate for the petitioners.

The said report states that joint field verification was conducted and the petitioners were present during such inquiry and have put their signatures in the attendance sheet.

Upon inquiry, it was found that the RS plot no. 1726 measuring about 40 decimals has been bifurcated into three LR plots bearing nos. 1726, 1726/2941 and 1726/3001 and the petitioners are related to LR plot no. 1726, the total area of which is 39 decimals. The report further states that the LR plot no 1726 measuring about 39 decimals is entirely within the alignment of PWD (Roads). The report further states that the petitioners are the recorded owners of the said plots having the share measuring an area of about 0.02 acres each vide LR khatian no. 2617 and 2618 respectively. The report further states that RS plot no. 2088 having an area of 0.54 acres have been bifurcated into two LR plots 2088 and 2088/2942. The report also states that the claim of the petitioners is only relatable to LR plot no. 2088 measuring an area of 0.37 acres. It has also been specifically stated in the said report that LR plot no. 2088 measuring about 0.37 acres is entirely within the alignment of PWD road.

Thus, it is evident that upon enquiry in the presence of the petitioner, it was found that the property of the petitioner being LR Dag nos. 1726 and 2088 is entirely within the alignment of PWD road. Therefore, the petitioners are entitled to compensation for utilization of the aforesaid plots of land.

At this stage, Mr. Hossain, learned Advocate appearing for the petitioners submits that in the said report, the share of the petitioners has not been correctly recorded. In support of such contention he places reliance upon the live data obtained by the petitioners from the official website of the Land and Land Reforms Department.

This Court cannot entertain a dispute as to the share of the raiyats in a plot of land and in case the petitioners are aggrieved by alleged wrong recording in the record of rights, it will be open to the petitioners to work out their remedies in accordance with law before the appropriate forum.

Mr. Banerjee, learned Advocate appearing for the State, submits that record reveals that pursuant to a notification published by the respondent authorities on 21st September, 2015 intimating the owners of the plots mentioned therein that the Government is willing to purchase the plots in question. He submits that the petitioners submitted a representation pursuant to such notification, wherein they have agreed to the proposal for direct purchase.

Mr. Hossain, however, does not dispute such factual position.

In view thereof, WPA 27879 of 2024 stands disposed of by directing the District Magistrate, Purba Burdwan, being the second respondent to conclude the entire process under the direct purchase policy including the payment of amount to the petitioners as expeditiously as possible but positively by the end of the month of June, 2026.

At this stage, Mr. Banerjee submits that the Chairperson, Direct Land Purchase Committee & District Magistrate, Purba Bardhaman has requested the Principal Secretary, Public Works Department, (Road Wing) vide Memo dated 6th January, 2026 to allot funds for the purpose of making payment to the land losers.

It will be open to the second respondent to take all steps including passing time bound directions to the requiring

body to allot fund for the purpose of complying with this order and all the authorities shall render cooperation and assistance to the District Magistrate in this regard.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Hiranmay Bhattacharyya, J.)