

Court No. 19
(265719)

29.01.2026
(AD 7)
(S. Banerjee)

WPA 28811 of 2025

Kanchan Mandal & Ors.
Vs.
State of West Bengal & Ors.

Mr. Tanmoy Mukherjee
Mr. Swapan Kumar Kar

...for the petitioners

Mr. Ayan Banerjee
Mr. Subhabrata Das

...for the State

The grievance of the petitioners is that the Land Acquisition Collector, North 24 Parganas at Barasat has not taken any step to refer the matter for the determination of the Court as to the adequacy of compensation in spite of the fact that application under Section 18 of the Land Acquisition Act, 1894 has been filed within the stipulated time limit.

Mr. Mukherjee, learned advocate appearing for the petitioner submits that direction be passed upon the respondent authority to refer the matter to the Court for such determination.

Ms. Banerjee, learned advocate, submits that the question of referring the matter to the Court for determination would arise only if such application

has been filed within the time limit prescribed under the statute.

In the light of the submissions made by the learned advocate appearing for the respective parties and without entering into the dispute as to whether the application under Section 18 of the Land Acquisition Act, 1894 (which is annexed at page 14 of the writ petition) was filed within the stipulated time limit, this Court directs the Land Acquisition Collector, North 24 Parganas, being the 2nd respondent herein, to consider the application under Section 18 of the 1894 Act (which has been wrongly captioned as one under 'Section 8' of the Land Acquisition Act) and to take necessary steps in accordance with law, provided the same was filed within the stipulated time limit. A decision on the application under Section 18 of the 1894 Act shall be taken as expeditiously as possible but positively within a period of eight weeks from the date of receipt of a server copy of this order along with a copy of the application under Section 18 of the 1894 Act which is annexed at page 14 to 17 of the writ petition.

In the event such authority is of the view that the matter should not be referred to the Court for determination, such decision shall also be

communicated to the petitioner within the time limit indicated hereinbefore.

With the above observations and direction this writ petition stands disposed of.

(Hiranmay Bhattacharyya, J.)