

Court No. 19
(265719)

29.01.2026
(AD 9)
(S. Banerjee)

WPA 28882 of 2025

Sk. Nasim & Ors.
Vs.
State of West Bengal & Ors.

Mr. Tanmoy Mukherjee
Mr. Swapan Kumar Kar

...for the petitioners

Ms. Rama Halder
Mr. Biswajit Dutta

...for the State

Several applicants filing applications under Section 18 of the Land Acquisition Act, 1894 separately have joined together and have filed a single writ petition.

Learned advocate appearing for the State raises an objection as to the maintainability of a joint writ petition at the instance of four writ petitioners.

Faced with such situation, Mr. Mukherjee, learned advocate appearing for the petitioners prays for leave to put in the deficit Court fees insofar as the petitioner nos. 2 to 4 are concerned.

Let deficit Court fees insofar as the petitioner nos. 2 to 4 are concerned be put in on or before February 2, 2026, failing which the writ petition shall

stand dismissed insofar as the petitioner nos. 2 to 4 are concerned.

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. Halder, learned advocate appearing for the State, 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 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 and communicated to the petitioners 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 28 of the writ petition.

In the event such authority is of the view that the matter cannot not be referred to the Court for determination, the reasons therefor 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.)