25.11.2026
Ct. No. 6
Sl. No.19
akd

In the High Court at Calcutta
Circuit Bench at Jalpaiguri

W. P. A. 2955 of 2026

[Sahidar Rahaman -Vs- Union of India & Ors.]

Mr. Nabankur Paul
... ... for the petitioner

Ms. Supriya Singh
... ... for the NHAI

Mr. Dipankar Sen
Mr. Tuhin Kumar Roy
... ... for the State

1. Affidavit-of-service filed in court today is taken on record.

2. The petitioner has preferred the present writ petition seeking a direction upon the respondent authorities to consider and dispose of the representation of the petitioner dated 05.02.2024 and pay him compensation in accordance with law.

3. It is the case of the petitioner that he is the recorded owner of the land in question and his name appears in the land acquisition record in respect of L.R. Plot No. 788, Khatian No. 630 under Mouza: Raichange, Dist. Alipurduar. He submits that he was never served with any notice in the acquisition proceedings and was not informed of the compensation assessed. The highway has been constructed. The petitioner has submitted a representation dated 05.02.2024 before the competent authority, which was received on the same day. However, the same has neither been responded to nor acted upon.

4. Learned counsel for the State-respondents submits that the authorities are ready and willing to consider the representation of the petitioner dated 05.02.2024.

5. In view of the submissions made by the learned counsel for the State-respondents, learned counsel for the petitioner submits that his client shall be satisfied if the representation dated 05.02.2024 is decided in a time bound manner by the competent authority.

6. Accordingly, this Court directs the Special Land Acquisition Officer-cum-Competent Authority, Jalpaiguri (respondent no. 6) to decide the representation of the petitioner dated 05.02.2024, strictly in accordance with law and as per the provisions of the National Highways Act, 1956, and to pass a reasoned and speaking order within a period of eight weeks from the date of communication of this order, after affording an opportunity of personal hearing to the petitioner. If the petitioner is found to be entitled for compensation that has not been paid yet, the respondent no. 6 shall take steps to disburse the same in accordance with law.

7. It is made clear that this Court has not gone into the merits of the claim of the petitioner, including the question of quantum of compensation and all points are left open to be adjudicated by the competent authority (respondent no. 6) in accordance with law.

8. With the aforesaid directions, the present writ petition is disposed of.

9. Since no affidavits have been filed by the respondents, the allegations made in the writ petition shall not be deemed to have been admitted.

10. Let urgent Photostat certified copy of this order, if applied for, be supplied to the parties on usual undertaking.

(Gaurang Kanth, J.)