

D/L- 12
22/04/2026
Ct. No.-19
Aritra

WPA 9136 of 2026

Aloke Adhikari
Vs.

The State of West Bengal & Ors.

Mr. Partha Pratim Roy
Mr. Sougata Maity
Mr. Nikhil Gupta
Ms. Soma Chakraborty
Mr. Subhadeep Maity

....for the petitioner

Mr. Subhra Prakash Lahiri
Mr. Tapas Chatterjee

....for the State

Affidavit of service filed in Court today is taken on record.

Mr. Lahiri, learned advocate appearing for the State raises a strong objection against the entertainability of this writ petition on the ground of unexplained delay and laches.

In reply, Mr. Roy, learned advocate appearing for the petitioner submits that the petitioner received the compensation amount under protest which implies that the petitioner is a person interested who has not accepted the award. He submits that since the compensation amount was received under protest, the Collector was under an obligation to refer the matter to the Court in exercise of powers under Section 18 of the Land Acquisition Act.

Mr. Lahiri, learned advocate appearing for the State disputed the contention of the petitioner that the compensation amount was received under protest. He

seeks an accommodation to revert back with necessary instructions in this regard.

Let a report be filed by the Special Land Acquisition Officer, Nadia, being the respondent No.4 as to whether the petitioner received the compensation amount under protest or not.

The issue of maintainability of this writ petitioner is kept open to be considered at the time of final hearing.

List this matter on May 20, 2026 under the same heading.

(Hiranmay Bhattacharyya, J.)