

S/L 18
16.09.2025
Court. No. 19
Suvayan

WPA 21947 of 2023

Mithu Mondol & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Sabyasachi Mukhopadhyay

Ms. Oindri Mukherjee

Ms. Jayshree Dey

...for the petitioners.

Mr. Supratim Dhar, Sr. Adv.

Mr. Manoj Kr. Mondal

...for the State.

1. The subject matter of the instant writ petition is the 0.02 acres of land in plot no. 2185 in Mouza – Katwa, District – Purba Bardwan. It is the case of the writ petitioners that the aforementioned land was acquired by the respondents/authorities in connection with a land acquisition proceeding being LA case no. 31-R/82-83 for construction of Katwa Jetty Ghat as per proposal of the Home Transport Department.
2. It is the grievance of the writ petitioners that despite such acquisition the writ petitioners being the recorded owners of the said plots of land have not yet received the compensation.
3. Drawing attention to page nos. 30 to 32 of the instant writ petition being a copy of the order dated 05.08.2022 as passed by a Division Bench of this High Court in MAT 522 of 2019 it reveals that in the self-same land acquisition proceeding similarly placed land losers have received compensation.
4. It is submitted that on 27.03.2023 the writ petitioners submitted a representation with the

respondents/authorities requesting them to disburse compensation but of no effect.

5. On behalf of the respondents/State a report dated 15.09.2023 as prepared by the Additional Land Acquisition Officer, Purba Burdwan is filed and the same is taken on record.
6. On perusal of the report dated 15.09.2023 as filed today it reveals that in the aforementioned land acquisition proceeding 0.02 acres of land in plot no. 2185 was also involved, however, compensation could not be disbursed on account of non-availability of fund that is the requiring body. It is submitted that under cover of a memo dated 18.08.2023 the Additional District Magistrate (LA, Purba Burdwan) requested the Additional Secretary, Government of West Bengal, Transport Department for placement of fund for payment towards compensation.
7. On careful consideration of the entire materials as placed before this Court and after hearing the learned Advocates for the contending parties, this Court finds that it is practically admitted position that the writ petitioners' land measuring about 0.02 acres in plot no. 2185 in Mouza – Katwa, District – Purba Burdwan has been acquired in connection with LA case no. 31-R/82-83.
8. Materials have been placed on behalf of the respondents/State that on account of non-availability of the fund the compensation could not be disbursed.

9. In view of such, this Court while disposing the instant writ petition directs the Secretary, Transport Department, Government of West Bengal to place the required fund as called for vide memo dated 18.08.2023 with the respondent no. 2/authority positively within 60 working days from today and the respondent no. 2/authority on receipt of the fund shall disburse the assessed compensation to the writ petitioners within 15 working days from the date of receipt of the fund from the Transport Department.
10. The time limits as fixed by this Court are mandatory and peremptory.
11. Liberty is given to the learned Advocate-on-Record for the writ petitioners to communicate the server copy of this order to the Secretary, Transport Department, Government of West Bengal as well as to the respondent no. 2/authority for their immediate compliance.
12. The Secretary, Transport Department, Government of West Bengal and the respondent no. 2/authority are hereby directed to act on the server copies of this order.
13. With the aforementioned observation, the instant writ petition being WPA 21947 of 2023 is disposed of.
14. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Partha Sarathi Sen, J.)