

Form J(2)
Sl. No. 29
AB

High Court at Calcutta
In the Circuit Bench at Jalpaiguri
Constitutional Writ Jurisdiction
Appellate Side

Present:
The Hon'ble Justice Aniruddha Roy

W.P.A. 1857 of 2023
With
CAN 1 of 2026

Cooch Behar Tea Company Limited & Anr.
Vs.
The State of West Bengal & Ors.

For the petitioners

: Mr. Ved Rai
Mr. Hrisav Anirban Ghosh

For the State

: Mr. Dipankar Sen
Ms. Somdutta Patra

For NHAI

: Ms. Supriya Singh
Ms. Susmita Ghosh

Heard on

: August 12, 2026

Judgment on :

: August 12, 2026

[IN COURT]

Aniruddha Roy,J.

1. The application arising out of a writ petition in connection with acquisition of land for the project of NHAI.

2. The compensation has admittedly been paid and received by the land loser on February 19, 2026. Such payment of compensation has also been confirmed by the petitioners.
3. Learned advocate for the NHAI has also confirmed that the compensation has already been paid as claimed in the writ petition.
4. The order of the co-ordinate Bench dated **December 15, 2023** shows that, the writ petition has been kept pending on the plea that in the event the compensation is not paid then necessary steps could be taken. Since, the compensation has already been paid, as claimed in the writ petition, no further cause survives in this writ petition save and except the claim for interest and interest has been claimed through the instant interlocutory application.
5. Mr. Ved Rai, learned advocate for the petitioners at this juncture prayed for an adjournment.
6. After considering the case made out in the writ petition and this interlocutory application read with the order of the co-ordinate Bench dated **December 15, 2023** this Court finds that, no fruitful purpose shall be served by keeping the writ petition pending any further, since the relief has already received in so far as compensation is concerned by the petitioners.
7. However, since the petitioners have claimed interest, the respondent no. 3 on the basis of the existing record shall calculate and quantify the

interest, if any, payable to the writ petitioners strictly in accordance with law.

8. This exercise shall be carried out and completed positively within a period of **four weeks** from the date of communication of this order. A copy of the calculation sheet quantifying interest shall also be provided to the petitioners by the respondent no. 3 within a period of **one week** from the date of quantification of interest.
9. The respondent no. 3 then shall send the said quantified interest with all relevant records to the respondent nos. 4 and 5 positively within a period of **four weeks** from the date of quantification of interest and shall intimate the petitioners by a communication in writing.
10. The respondent nos. 4 and 5 after consulting its records shall take steps and ultimately disburse the amount in accordance with law and transmit the fund to the respondent no. 3.
11. This exercise shall be carried out by the respondent nos. 4 and 5 positively within a period of **six weeks** from the date of receiving the quantified interest from the respondent no. 3.
12. The respondent no. 3 then shall disburse and pay the interest to the petitioners by crediting their bank accounts through electronic mode but positively within a period of **four weeks** from the date of receiving the fund from the respondent nos. 4 & 5.

13. By consent of the parties, the writ petition is also being treated as on day's list.
14. It is clarified that in the event, interest has already been paid along with the principal compensation, then there shall be no requirement of paying any further interest to the petitioners but such fact with detailed calculation shall be communicated to the petitioners in writing.
15. With the above observations and directions this writ petition being **WPA 1857 of 2023** and the instant interlocutory application being **CAN 1 of 2026** stand **disposed of**, without any order as to costs.
16. Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)