

WPA 23304 of 2026

Fidu Jahanbi Shaikh

v.

The Union of India & Ors.

14.10.26
DL-16
Ct.-19
(S.R.)

Mr. Sohail Afzal
Mr. Abu Zar Ali
Mr. Sk. Md. Akram ... for the petitioner.

Mrs. Rashmi Bothra
Mrs. Priti Jain ... for the UOI.

Mr. Amit Meharia
Ms. Paramita Banerjee
Mr. Sayan Dey
Mr. Debmalya Biswas
... for the respondent nos.2 and 3.

1. The affidavit of service as filed today on behalf of the writ petitioner is taken on record.
2. The writ petitioner, the respondent NHAI authority and the respondent Union of India are represented by their respective learned counsel.
3. None appears on behalf of the respondent State and it is submitted on behalf of the writ petitioner that the notice addressed to the respondent no.4 returned with insufficient address.
4. The subject matter of the instant writ petition is the representation dated 18.08.2026, as submitted by the writ petitioner with the respondent no.4 authority, a copy of which has been annexed at page no.41 of the instant writ petition.

5. At the time of hearing, Mr. Afzal, learned advocate appearing on behalf of the writ petitioner submits before this Court that it is the specific case of the writ petitioner that on account of expansion of the National Highway, the property of the writ petitioner was demolished by the respondent State and its instrumentalities and as of now no compensation has been paid to the writ petitioner. It is, thus, submitted that the respondent no.4 authority may be directed to consider the representation dated 18.08.2026 as submitted by the writ petitioner, in accordance with law.
6. Learned advocate appearing on behalf of the respondent NHAI authority submits before this Court that the NHAI authority being the requiring body has already disbursed the compensation amount to the acquiring body i.e. the jurisdictional Land Acquisition Collector.
7. Learned advocate appearing on behalf of the Union of India supports the contention of the learned advocate for the respondent NHAI authority.
8. In view of such, this Court while disposing the instant writ petition directs the respondent 4 authority to consider the representation dated 18.08.2026, as submitted by the writ petitioner and as has been annexed at page no.41 of the instant writ petition, in accordance with law and after

giving fair chance of hearing to the writ petitioner shall pass a reasoned order and shall forthwith communicate the same to the writ petitioner preferably by email, if the email details of the writ petitioner is provided to him at the time of hearing.

9. It is further ordered that the entire exercise, as indicted in the foregoing paragraphs, is to be completed by the respondent no.4 authority positively within forty-five working days from the date of communication of the server copy of this order along with a copy of the said representation dated 18.08.2026.
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 petitioner to communicate the server copy of this order to the respondent no.4 authority, who is directed to act on the server copy of this order.
12. It is further directed that, in the event, while passing the reasoned order, the respondent no.4 authority finds sufficient merit in the representation of the writ petitioner dated 18.08.2026, he is directed to take all consequential actions soon thereafter.
13. With the aforementioned observations, WPA 23304 of 2026 stands disposed of.

14. There shall, however, be no order as to costs.
15. Before parting with, it is, however, made clear that while disposing the instant writ petition, this Court has not gone into the merit of the representation dated 18.08.2026, as submitted by the writ petitioner, and, thus, all points are kept open for adjudication by the respondent no.4 authority.
16. 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.)