

S/L. 10.
05.11.2019
pk

**Calcutta High Court
In The Circuit Bench At Jalpaiguri
Appellate Jurisdiction**

WPA 204 of 2019

M/s Modern Animal Feeds (P) Ltd. and another
-Vs.-
The State of West Bengal & Others

Mr. Subir Kumar Saha,
Mr. Bikramaditya Ghosh
...for the State

Ms. Supriya Singh
... for the respondent no. 3.

None appears for the petitioners
although affidavits have been exchanged.

It is submitted by the learned
advocate for the respondent no. 3/NHAI
that repeated adjournments have been
taken by the petitioners. It is also
submitted on merits that notice under
Section 3(E) has been duly issued by the
NHAI after determination of
compensation and deposit thereof with
the competent authority. Time period
stipulated therein has since expired and
the petitioner has not surrendered
possession of the said property.

In those circumstances, since there
is no representation on behalf of the

petitioners, it is presumed that the petitioner is no longer interested in pursuing the writ petition.

National Highways Authority of India shall take physical possession of the property and also take further steps under Section 3(E)(2) of NHAI Act.

With the aforesaid direction, the writ petition is disposed of without any further orders.

Photostat certified copy of this order, if applied for, be given to the parties on urgent basis.

(Rajasekhar Mantha, J.)