

S/L. 13.
05.11.2019
pk

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

WPA 276 of 2019

Shila Sharma and others
-Vs.-
The State of West Bengal & Others

Mr. Arpita Saha
... for the petitioners.

Mr. Subir Kumar Saha,
Ms. Bedashruti Bose
...for the State

Ms. Supriya Singh
... for the respondent no. 5.

Affidavit-in-opposition filed by the
NHAI is taken on record.

The grievance of the writ petitioners
is that in respect of land acquired by
NHAI, their applications for compensation
and/or enhancement thereof have not
been heard or taken up by the Divisional
Commissioner, who is the statutory
arbitrator.

It appears from the affidavit in
opposition filed by the NHAI that the
application of the petitioners for
enhancement of compensation was heard
on 30th May, 2017 and 22nd July, 2017. It
further appears that the compensation

has since been enhanced and the base rate compensation has been increased by the Arbitrator. Enhancement was effected in respect of large number of plots which included the petitioners. The Enhanced compensation in respect of Mouza Madhab Danga and Uttar Madhab Danga has been deposited by the NHAI with the competent authority being the respondent no. 4 for disbursement to the land losers.

The principal grievance of the petitioners has already been addressed.

This Court is of the view that there is no merit in the writ petition and the same is liable to be dismissed and is hereby dismissed.

The petitioners shall be entitled to collect enhanced compensation as deposited from the respondent no. 4.

No order as to costs.

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

(Rajasekhar Mantha, J.)