

04.09.2020
Ct. No.13
SL No.18
KS

IA No:CAN 1of 2020 (Old No.CAN 4704 of 2020)

+

W.P.A. No.6280 of 2020

Sujit Pradhan

Versus

State of West Bengal & Ors.

(Via Video Conference)

Mr. Sandip Kumar Bhattacharyya

Mr. Suman Basu

.....For the Petitioner

Mr. Soumitro Bandyopadhyay

.....For the Respondent

An order under Section 10(3) of the Highways Act, 1964 is under challenge in the present writ petition.

Learned advocate appearing for the State submits that, the impugned order is appealable under Section 10(4) of the Act of 1964.

The impugned order is appealable under Section 10(4) of the West Bengal Highways Act, 1964.

In such circumstances, the petitioner having statutory alternative remedy available, I am not minded to interfere in the present writ petition. However, for the ends of justice, in the event, the petitioner files the appeal under Section 10(4) of the Act of 1964 within a period of 15 days from date, the

appellate authority will consider such appeal to be within the period of limitation prescribed under the Act of 1964 and hear and decide the appeal on merits after affording a reasonable opportunity of hearing to the petitioner.

W.P.A. No.6280 of 2020 is disposed of.

In view of the disposal of the writ petition, CAN 4704 of 2020 is disposed of.

(Debangsu Basak, J.)