

27.04.2021
(S/L-03)
Ct.-18
(Susanta)

(Via Video Conference)

W.P.A. 1389 of 2021

Sagar Dutta

-Vs-

The Union of India & Ors.

Mr. Soumyajit Das Mahapatra,
..... For the Petitioner.

Mr. Chandi Charan De,
Ms. Chandana Ghosh,
..... For the State Respondents.

The petitioner is an awardee of the award passed in L.A. Case No. N.H-01/16-17.

The special land acquisition officer, Paschim Medinipore, the respondent no. 8 herein being the competent authority under the National Highways Act, 1956(hereinafter referred to as 'the said Act' in short) by a notice under Section 3H(2) thereof has directed the petitioner to furnish details of his bank account for disbursement of the compensation awarded in his favour in the said acquisition case.

The grievance of the petitioner is that in spite of furnishing the details of such bank account, no compensation has been paid to him till date.

Mr. Chandi Charan De learned Additional Government Pleader appearing on behalf of the State Respondents submits that a third party has issued a notice requesting the respondent no. 8 not to disburse the compensation to the petitioner on the ground that a suit is pending over the title of the

acquired land between him and the petitioner, as a result, the said respondent could not disburse the said compensation to the petitioner.

Mr. Soumyajit Das Mahapatra, learned advocate appearing on behalf of the petitioner submits that the said suit has already been withdrawn.

Be that as it may, the notice under Section 3H(2) of the said Act since has already been issued to the petitioner, the respondent no. 8 is directed to consider the prayer of the petitioner for disbursement of the said compensation in his favour in accordance with law.

Since no affidavit-in-opposition has been invited, the allegations made in the writ petition shall be deemed to have been denied by the respondents.

W.P.A. 1389 of 2021 is disposed of with the above direction without any order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Biswajit Basu, J.)