

18  
SK  
Ct. No. 18  
12.03.2021

**W.P.A. No. 5423 of 2021  
(Via Video Conference)**

**Abdullah Julfikar Middya  
Vs.  
The State of West Bengal & Ors.**

Mr. Bhagbat Chaudhuri,  
Mr. Sariful Islam Mallick ... For the petitioner.

Mr. Ansar Mandal, Ld. Addl. Govt. Pleader,  
Ms. Sreelekha Bhattacharya  
... For the State respondents.

Affidavit of service filed in Court today be kept with the record.

The notice dated June 26, 2020 proposes acquisition of the land of the petitioner for the purpose of widening of the National Highway No. 19, Panagarh- Palsit Section.

The objection as required under Section 3(a)(1) of the National Highways Act, 1956 was invited from the interested persons within 21 days from the date of publication of the said notice.

The petitioner claims that due to the Covid-19 pandemic he could not file the said objection within the said specified time.

The petitioner gave a representation dated October 23, 2020 to the District Magistrate, Purba Bardhawan, the competent authority under the said Act of 1956, the respondent no. 2 herein praying an opportunity of hearing before declaration of acquisition and taking over possession on the said land.

The said representation is pending. The petitioner prays that the respondent no. 2 may be directed to dispose of the said representation.

The petitioner has offered a plausible explanation for his failure to file the said objection within the notified time.

The respondent no. 2 therefore is directed to dispose of the representation of the petitioner appearing at page 37 of the writ petition being Annexure P6 in accordance with law by a reasoned order after giving the petitioner an opportunity of being heard.

The respondent no. 2 shall make all endeavour to complete his exercise in this regard within a period of four months from the date of communication of this order.

The respondent no. 2 shall communicate his decision to the petitioner.

The petitioner is required to serve a complete copy of this writ petition along with the copy of this order to the said respondent no. 2 within a week from date.

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

W.P.A. 5423 of 2021 is thus disposed of.

No 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.)