

23.08.2021
rc/ct.no.10
Item No.18

WPA No. 4036 of 2018
Amit Ghosh
Versus
The State of West Bengal & Ors.

(VIA VIDEO CONFERENCE)

Mr. Biswarup Biswas
Mr. Gora Chand Samanta ...for the petitioner

Mr. Soumitra Bandyopadhyay
Mr. Priyabrata Batabyal ...for the State

Mrs. Manika Ray ...for the NHAI

The grievance of the petitioner is directed against the proceeding initiated under the National Highways Act, 1956.

It is submitted by the Advocate appearing on behalf of the petitioner that the entire proceeding had been conducted contrary to law.

Mr. Soumitra Bandyopadhyay, Advocate appearing on behalf of the State-respondents submits that the final award under Section 3G(5) of the aforesaid Act has been passed in this matter. He further submits that if the petitioner writes to the appropriate respondent authorities being the respondents no. 2 and 3, the respondents no. 2 and 3 will forward a copy of the award in respect of the subject proceeding to the petitioner.

In view of the final order passed under Section 3G(5) of the Act, I am of the view that this petition is not

maintainable and is dismissed on the ground that the petitioner has an adequate statutory alternative remedy.

However, liberty is granted to the petitioner to write to the respondents no. 2 and 3 for obtaining a copy of the final award passed under Section 3G(5) of the Act.

I make it clear that I have not gone into the merits of this case and all points are left open.

Accordingly, WPA No. 4036 of 2018 is disposed of.

There shall be, however, no order as to costs.

Since, no affidavit-in-opposition is filed, the allegations contained in the writ petition are denied.

(Ravi Krishan Kapur,J)