

17.11.2021
jb.

W.P.A. 6762 of 2021
(Afchhar Ali Sekh vs. State of West Bengal & Ors.)

Mr. Debasish Kundu
.... For the Petitioner

Mr. Chandi Charan De
Mr. Anirban Sarkar
.... For the State

Ms. Manika Roy
.... For the NHAI

Heard the learned counsels for the parties.

It is submitted on behalf of the petitioner that as his application for enhancement of compensation has been rejected by the District Magistrate, he intends to prefer an appeal against the said order under Section 3G(6) of the National Highways Act, 1956.

It is submitted on behalf of the respondents that as it is the sole prerogative of the arbitrator to determine any dispute with regard to amount of compensation, the proceeding before the District Magistrate is as good as an arbitral proceeding.

In view of the above, the writ petition being W.P.A. 6762 of 2021 is disposed of with liberty to the petitioner to take necessary steps in accordance with law.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)