

22.07.2021
rc/ct.no.10
Item No.08

WPA No. 17642 of 2019
Subhra Sahu & Ors.
Versus
Union of India & Ors.

(VIA VIDEO CONFERENCE)

Mr. Atanu Pan ...for the petitioners

Mr. Dipankar Das ...for the NHAI

The grievance of the petitioner is directed against non-consideration of his representation dated 12.05.2017.

It is submitted by the Advocate appearing on behalf of the petitioner that a portion of the premises of the petitioner had been acquired by the National Highway Authority (in short, "**NHAI**") and necessary compensation had been paid to the petitioner. However, in respect of an unacquired portion of the premises of the petitioner, the NHAI continues to be in wrongful and illegal possession of the same.

Mr. Das, Advocate appearing on behalf of the NHAI submits that only the acquired portion of the petitioner is in occupation of the NHAI. It is, however, fairly submitted on behalf of the NHAI, that the representation dated 12.05.2017 may be considered and disposed of by the respondents no. 2 and 3.

In view of the submissions made by the parties the respondents No. 2 and 3 are directed to consider the representation dated 12.05.2017 of the petitioner

(appearing at page 26, Annenure –P6 of this writ petition) within a period of four weeks from date after giving a right of hearing to all the affected parties including the State-respondents in accordance with law.

It is made clear that I have not entered into the merits of this case and the Respondents No. 2 and 3 will not be influenced by any observation in this order on the merits of this case. All questions are to be decided by the respondents No. 2 and 3 in accordance with law.

It is also made clear that after disposing of the representation of the petitioner, the respondents No. 2 and 3 shall communicate their order to all concerned parties.

It is expected that the entire exercise would be completed by the respondents No. 2 and 3 within a period of 8 weeks from the date of communication of this order.

With the above observations and directions, this writ petition being WPA No. 17642 of 2019 stands disposed of.

(Ravi Krishan Kapur,J)