

August 18, 2021

ARDR

(19)

WPA 22133 of 2019

Ganesh Chakraborty & anr.

Vs.

The State of West Bengal & Ors.

Mr. Dilip Kumar Shyamal,

...for the petitioners.

Mr. Soumitra Bandyopadhyay,

Mr. Aniruddha Sen,

...for the State.

The grievance of the petitioners is directed against subject acquisition proceedings initiated by the State respondents.

Mr. Bandyopadhyay appears for the State and submits that a final Award has been passed under Section 3(g)(5) of the National Highways Act, 1956. This fact is not disputed by the petitioners.

In view of the fact that a final Award dated 6th April, 2019 has been passed, I am of the view that the petitioners have an alternative efficacious statutory remedy under the provisions of the Arbitration and Conciliation Act, 1996, as such, this writ petition is not maintainable and is dismissed.

However, liberty is granted to the petitioners to approach the appropriate fora in accordance with law, if so advised.

I have not gone into the merits of the disputes and the appropriate fora, if approached, in accordance with law, will decide the claim of the petitioners.

(Ravi Krishan Kapur, J.)