

September 24, 2021

ARDR

(32) (W/L)

WPA 22342 of 2019

Kashinath Nayek & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Panchanan Hajra,

...for the petitioners.

Mr. Jahar Lal De,

Mr. Shamim ul bari,

...for the State.

Heard the learned counsels for the parties.

The petitioners have challenged the notice served upon them under Section 10(1) of the West Bengal Highways Act, 1964.

It is not in dispute that the petitioners have a statutory right to appeal before the concerned District Magistrate.

In view of the above and also as an alternative efficacious remedy is available to the petitioners, I am not inclined to entertain the prayers of the petitioners in the present writ petition.

Accordingly, WPA 22342 of 2019 is dismissed. However, there shall be no order as to costs.

Since no affidavit has been invited, the allegations made in the writ petition are deemed to be not admitted.

Urgent certified website copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Suvra Ghosh, J.)