

09.08.2021
jb.

W.P.A. 23188 of 2019
(Ainul Haque Molla vs. The Competent Authority for Land Acquisition & Ors.)

Ms. Manali Biswas
.... For the Petitioner
Mr. Chandi Charan De
Mr. Somnath Mukherjee
Mr. Anirban Sarkar
.... For the State
Ms. Monika Roy
....For the NHAI

Affidavit-of-service filed is kept on records.

The grievance of the petitioner is directed against the compensation granted by the State respondents in respect of the acquisition proceedings of the petitioner's land. It is also alleged on behalf of the petitioner that the State respondents have acted illegally and arbitrarily in granting compensation in favour of the petitioner.

Mr. De, appearing on behalf of the State respondents submits that the application filed by the petitioner under Section 3G(5) of the National Highway Act was considered by the respondent authorities and was found to be time barred.

Ms. Roy appears on behalf of the NHAI and submits that there is no scope of passing any order in favour of the petitioner.

However, Mr. De appearing for the State submits that if an application is filed by the petitioner before the respondent No. 8, the same may be considered in accordance with law.

In view of the submissions made on behalf of Mr. De, the petitioner is directed to make a representation before the respondent No. 8 who will consider and dispose of the same within a period of three months from the date of receipt of the same after giving all the affected parties a right of hearing.

I make it clear that I have not gone into the merits of the case and nothing in this order will be considered as binding on the respondent No. 8 in considering the representation of the petitioner.

With the aforesaid directions, W.P.A. 23188 of 2019 is disposed of.

There shall be no order as to costs.

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

(Ravi Krishan Kapur, J.)