

02-05-2022
ct no. 13
Sl.19
pk

WPA 623 of 2022

Pralay Halder
-Versus-

The State of West Bengal & Ors.

Mr. Debojyoti Deb,
Mr. Tamal Ghosh,
Mr. Sanjay Kumar Das

...for the petitioner

Mr. Susovan Sengupta.
Mr. Srikanta Paul

...for the State

The writ petitioner is aggrieved that the order dated 06.12.2021 passed by this Court in WPA 14330 of 2021 is being carried out by the respondent authorities, in violation of the provisions of West Bengal Highways Act, 1964.

It is submitted that notice under Section 10(1) of the Highways Act was mistakenly issued in the name of a dead person. The said notice has been subsequently amended and issued in the name of the petitioner. It is submitted that the first stage of the proceedings have been completed, and the petitioner has preferred an appeal before the District Magistrate, which is pending.

It is, therefore, ordered that the proceeding before the District Magistrate in appeal from the first authority's order, should be disposed of after

giving notice to all parties in accordance with law,
within a period of 15 days from date.

The petitioner shall serve notice to the
private respondent in course of the day.

With the aforesaid observations, the writ
petition is disposed of.

There will be no order as to costs.

(Rajasekhar Mantha, J.)