

10.02.2022
rc/ct.no.10
Item No.03

WPA No. 497 of 2013
Smt. Gouri Dutta
Versus
Union of India & Ors.

(VIA VIDEO CONFERENCE)

Mr. Amalesh Roy
Mrs. Mousumi Bhowal ...for the petitioner

Mr. Dipankar Das ...for the NHAI

Mr. Soumitra Bandyopadhyay
Mr. Aniruddha Sen ...for the State

Written instructions submitted by the learned counsel appearing on behalf of the State-respondents is taken on record.

The grievance of the petitioner is that three separate properties belonging to her husband, her son and herself were acquired by the State-respondents and though the notice under Section 3(G)4 of the National Highways Act, 1956 was served on her husband in respect of the plot owned by him, no such notice was served upon the petitioner or her son, the petitioner not having received any compensation in lieu of such acquisition. The petitioner submitted a representation before the authority on September 24, 2012 which is yet to be disposed of. The petitioner prays for a direction upon the authority to consider the representation at the earliest.

Having considered the submissions made by the learned counsels appearing on behalf of the parties and the material on record, the writ petition is disposed of directing the respondent no. 6 to consider and dispose of the representation submitted by the petitioner dated September 24, 2012 within a period of one month from the date of communication of this order, after giving reasonable opportunity of hearing to all the affected parties including the petitioner, in accordance with law.

With the above observations and directions this writ petition being WPA No. 497 of 2013 is disposed of.

There shall be, however, no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

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

(Suvra Ghosh,J)