

20
13.07.2022
Ct. No.10
b.das

WPA 3842 of 2022

Talmi Mardi
Vs.
Union of India & Ors.

Ms. Susmita Saha Dutta
Mr. Niladri Saha ...for the petitioner.

Mr. Purusattam Basak ...for the respondent No.1.

Mr. Chandi Charan De
Ms. Reshmi Rehman ...for the State.

Ms. Manika Roy ...for the NHAI.

Affidavit of service filed on behalf of the petitioner is taken on record.

It is contended on behalf of the petitioner that the plot in question belonged to the father of the petitioner and the petitioner along with other co-sharers are in occupation of the same after demise of their predecessor-in-interest.

The plot was acquired by the respondent for the purpose of extension of National Highway No.34, but no compensation has been paid to the petitioner till date.

The petitioner submitted an application before the authority in this regard and the concerned authority, being the Special Land Acquisition Officer, Uttar Dinajpur by a notice dated 20th December, 2021 requested the petitioner to attend a hearing scheduled on 22nd December, 2021 at 12 noon.

The petitioner submits that despite attending the hearing no further communication was made to her in connection with the application made by her for payment of compensation.

It is submitted on behalf of the National Highway Authority of India that the authority has no role to pay herein as the compensation amount has been deposited by the authority before the concerned authority in 2018 and further compensation with regard to the structures and the left out structures have been deposited in 2020.

It is submitted on behalf of the State respondents that the Special Land Acquisition Officer, Uttar Dinajpur, the 7th respondent herein be directed to issue a communication to the petitioner in respect of hearing held in connection with the application made by her.

In view of the above, the writ petition is disposed of directing the 7th respondent to consider the application for payment of compensation made by the petitioner and communicate the decision taken by the authority to the petitioner within one month from the date of communication of this order.

With the above observations and directions this writ petition being WPA 3842 of 2022 is disposed of.

However, there shall be 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 supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)