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jdt.

05.12.2022
jb.

W.P.A. 4088 of 2022
(Md Rahamatullah & Ors. vs. State of West Bengal & Ors.)

Mr. Partha Pratim Roy
Mr. Anirban Das
.... For the Petitioners

Mr. Ansar Mondal
Ms. Srilekha Bhattacharyya
.... For the State

Ms. Monika Roy
.... For the NHAI

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

On prayer of the petitioners liberty is granted to implead the Divisional Commissioner, Malda the learned Arbitrator as respondent No. 6 in the writ petition. The cause title of the writ petition be amended accordingly.

Being aggrieved by the compensation granted to the petitioners for acquisition of his land under the National Highways Act, 1956, the petitioners filed an application under Section 3G(5) of the Act before the learned Arbitrator which is still pending. The petitioners pray for a direction upon the arbitrator to conclude the arbitral proceedings within stipulated time frame.

Upon consideration of the submission made on behalf of the parties, the writ petition is disposed of directing the 6th respondent to take the proceeding under Section 3G(5) of the Act pending before him to its logical conclusion upon affording reasonable opportunity of hearing to all the interested persons including the petitioners within two months from the date of communication of this order, in accordance with law.

The decision taken by the authority shall be communicated to the interested persons, in accordance with law.

The writ petition is thus disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

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

(Suvra Ghosh, J.)