

WPA 4337 of 2020

Lipika Mukherjee & Anr.
Vs.
The National Highways Authority of India & Anr.

Mr. Abhijit Chakraborty	...for the petitioners.
Mr. Chandi Charan De	
Mr. Somnath Mukherjee	...for the State.
Ms. Manika Roy	...for the NHAI.

Heard learned counsels for the parties.

It is submitted on behalf of the petitioners that the State respondents have utilized the land of the petitioners but no compensation was paid to the petitioners for the same. The petitioners use to run a shop in the name and style of Maa Dakshina Kali Engineering Works in the plot in question, which has been demolished by the authorities.

The petitioners seek liberty to submit a comprehensive representation before the concerned authority ventilating their grievance and annexing all relevant documents and pray for a direction upon the authority to deal with the same at the earliest.

It is submitted on behalf of the respondents that the petitioners have raised unauthorised construction on vested land and are not entitled to any compensation for the same.

Upon consideration of the submission made on behalf of the parties and material on record, the writ petition is disposed of with liberty to the petitioners to submit a comprehensive representation before the 2nd respondent ventilating their grievance and annexing all relevant documents in support of their contention within seven days from date. The 2nd respondent should consider and dispose of the representation within a period of one month from the date of receipt thereof after affording reasonable opportunity of hearing to all the interested parties including the petitioners, in accordance with law.

The decision taken by the authority shall be communicated to the petitioners within a week thereafter.

With the above observations and directions this writ petition being WPA 4337 of 2020 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.)