

WPA 10421 of 2022

Subhash Gorai & Ors.
Vs.
Union of India & Ors.

Adv. Dr. Rudra Prasad Matilal,
...for the petitioners.
Adv. Subrata Bhattacharyya,
Adv. Suvash Roy,
...for the respondent no.7.
Adv. Soumitra Bandyopadhyay,
Adv. Subhasis Bandyopadhyay,
...for the State.

Report submitted by the State respondents is taken
on record.

Heard learned counsels for the parties.

The grievance of the petitioners is that the land belonging to the petitioners has been acquired by the authority without serving any notice under Section 3A(1) of the National Highways Act, 1956 upon the petitioners and the petitioners were served with a payment notice under Section 3G(1) and 3G(2) of the Act of 1956 indicating assessment of compensation for the structures standing thereon and having no whisper with regard to the compensation in respect of the land in question or the amount of solatium the petitioners are entitled to. The petitioners seek to submit a comprehensive representation ventilating their grievance before the concerned authority and pray for a direction upon the authority to consider the same at the earliest.

It is submitted on behalf of the State respondents that the 4th respondent be directed to consider the representation submitted by the petitioners in accordance with law.

In view of the above, the writ petition is disposed of with liberty to the petitioners to submit a comprehensive representation before the 4th respondent within two weeks from date. The 4th respondent is directed to consider and dispose of the representation submitted by the petitioners within two weeks from the date of receipt thereof upon granting reasonable opportunity of hearing to all the interested persons including the petitioners, in accordance with law.

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

With such observations and directions, the writ petition being WPA 10421 of 2022 is disposed of.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the petitions 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.)