

WPA 14746 of 2021

Abdur Rakib & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Ramdulal Manna,
Ms. Manju Manna (Dey),
Ms. Saswati Ghosh Sinha,
Mr. Sayan Mukherjee,
Mr. Urfan Ali Manda,

...for the petitioners.

Ms. Manika Roy,

...for NHAI.

Mr. Ansar Mandal,
Mr. Sougata Mitra,

...for the State.

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

It is submitted on behalf of the petitioners that in view of acquisition of the plots of land owned and occupied by the petitioners, the petitioners were granted compensation which was received by them under protest. The petitioners approached the learned Arbitrator for enhancement of the amount and enhanced amount of compensation was decided by the learned Arbitrator upon hearing both the parties. The petitioners complain that the said amount has not been disbursed in their favour till date.

It is submitted on behalf of the National Highways Authority of India (NHAI) that enhanced amount decided by the Arbitrator was deposited by the authority on 11th February, 2022. Subsequently, error in calculation of the

said award was detected and the modified amount was sent to the authority for consideration on 5th April, 2022. Payment of the said amount is presently under consideration.

Upon consideration of the submissions made on behalf of the parties, this Court is of the view that nothing further remains for adjudication in the present writ petition.

Accordingly, the writ petition is disposed of directing the NHAI being the 4th respondent herein, to cause payment of the revised award along with the modified award in favour of the petitioners within two months from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested parties including the petitioners, in accordance with law. In the event any error/anomaly is detected in calculation of the said amount, such error should be sorted out/settled within the said period of time.

With the aforesaid directions, WPA 14746 of 2021 is disposed of. There shall however, 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J.)