

June 27, 2022
ARDR
(23)

WPA 14751 of 2021

Md. Manirul Islam & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Ramdulal Manna,
Ms. Manju Manna (Dey),
Ms. Sudeshna Das,
Mr. Sayan Mukherjee,
Mr. Urfan Ali Manda,

...for the petitioners.

Ms. Manika Roy,

...for NHAI.

Mr. Amitesh Banerjee,
Mr. Suddhadev Adak,

...for the State.

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

It is contended on behalf of the petitioners that the petitioners were granted compensation in view of acquisition of land owned and occupied by them for which they received compensation under protest. The petitioners approached the learned Arbitrator for enhancement of the amount and award was granted by the learned Arbitrator enhancing the amount of compensation. The petitioners complain that the enhanced award has not been paid to them till date.

It is submitted on behalf of the State respondents that the said amount has not been received by them from the National Highways Authority of India (NHAI).

Learned counsel appearing on behalf of the NHAI submits, under instructions, that there may be some error

in the calculation of the said amount for which the amount is being held up by the authority.

In view of the above, 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 to consider depositing the enhanced compensation amount before the State authorities within one month from date and 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. Upon receipt of the said amount, the State respondents are directed to disburse the same in favour of the petitioners within two weeks therefrom.

With the aforesaid directions, WPA 14751 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.)