

February 23, 2022
ARDR
(23)

WPA 16466 of 2021

Gopal Chandra Sadhukhan
Vs.
The State of West Bengal & Ors.

Mr. Arindam Das,
Mr. Biswajit Sarkar,
Ms. Rumeli Sarkar,

...for the petitioner.

Ms. Manika Roy,

...for the NHAI.

Mr. Ansar Mondal,
Ms. Sreelekha Bhattacharya,

...for the State.

Supplementary affidavit used by the petitioner demonstrates that pursuant to the notice impugned dated 24th September, 2021 a representation was submitted by the petitioner before the authority on 27th September, 2021 and the said representation has been considered and rejected by the authority by an order dated 5th October, 2021. Said supplementary affidavit is taken on record.

It is also admitted that the claim of the petitioner for grant of compensation under the provisions of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 has been met in arbitration.

In view of the above, the prayers in the writ petition are redundant. The petitioner intends to withdraw the writ petition and seeks liberty to file a

fresh writ petition challenging the order dated 5th October, 2021.

Accordingly, WPA 16466 of 2021 is dismissed for non-prosecution. However, there shall be no order as to costs.

The petitioner is at liberty to challenge the order dated 5th October, 2021 before the appropriate forum.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)