

20
21.11.2022
Ct. No.10
b.das

WPA 15912 of 2022

Pallabi Dhole & Anr.
Vs.
The State of W.B. & Ors.

Mr. P. P. Roy
Ms. Poulami Chakraborty ...for the petitioners.

Mr. Soumitra Bandyopadhyay
Mr. Subhasis Bandyopadhyay ...for the State.

Ms. Manika Roy
Mr. S. Roy ...for the NHAI.

Mr. P. K. Bhattacharya
...for the respondent Nos. 7, 8 & 9.

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

Heard learned counsels for the parties.

The petitioners claim to be joint owners of the plot in question alongwith the private respondents by virtue of inheritance from their predecessor-in-interest. The plot in question has been acquired by the respondents and compensation for the same has been paid to the private respondents only, depriving the petitioners.

The petitioners submitted a representation claiming compensation as co-sharers of the property in terms of Section 3H (3) of the National Highways Act, 1956 on 6th July, 2022, which is yet to be considered. The petitioners

pray for a direction upon the concerned authority to consider the representation at the earliest.

Upon consideration of the submission made on behalf of the parties, the writ petition is disposed of directing the 4th respondent to consider and dispose of the representation submitted by the petitioners on 6th July, 2022 within two months from the date of communication of this order upon giving a reasonable opportunity of hearing to all the interested persons, including the petitioners and the private respondent, in accordance with law and in terms of Section 3H (3) and (4) of the National Highways Act, 1956.

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

With the above observations the writ petition being WPA 15912 of 2022 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.)