

WPA 21056 of 2021

Tarun Mishra
Vs.
State of W.B. & Ors.

Mr. Sandip Kr. Bhattacharya
Mr. Suman Basu ...for the petitioner.

Mr. Chandi Charan De
Mr. Haripada Maity ...for the State.

Heard learned counsels for the parties.

A copy of the report in the form of affidavit in connection with WPA No.17496 of 2021 pertaining to the land in question in the present writ petition, filed by the State respondents is taken on record. It appears from the said report that the plot in question has not been acquired by the State respondents and no notification of acquisition or possession of the land is available in the official records.

The petitioner is aggrieved by the notices issued upon him under Section 10(1)/10(3) of the West Bengal Highways Act, 1964.

In view of the fact that the plot in question has admittedly not been acquired by the government, such notices are not applicable in case of the petitioner. Accordingly, the notices under Section 10(1) and 10(3) of the West Bengal Highways Act, 1964 issued on 19th November, 2019 and 13th February, 2020 respectively in so

far as the present petitioner is concerned are quashed/set aside.

With the above observations and directions this writ petition being WPA 21056 of 2021 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.)