

17.10.2022
item No.15
SA/n.b.
ct. no.35

WPA 23246 of 2022

Prafulla Das & Ors.
-Vs-
State of West Bengal & Ors.

Mr. Prosenjit Mukherjee,
Mr. Tirthankar Mukherjee,
Ms. Madhurima Sarkar,
Mr. Munshi Ashiq Elahi,
Ms. Sucheta Pal
... for the petitioners.

Mr. Himadri Sekhar Chakraborty,
Mr. Ramchandra Guchait
... for the State.
Mr. Manika Roy
... for the NHAI.

Learned advocate appearing for the petitioners is aggrieved by the notice dated 13.9.2022. According to him, without any demarcation as earlier directed, the notice has been issued. In the said notice dated 13.9.2022 it is reflected that the petitioners would be at liberty to make their representations and would be heard by September 26, 2022. To that effect, learned advocate for the petitioners submits that the petitioners were present and written representation was also submitted before the authorities on September 26, 2022.

Learned advocate appearing for the NHAI submits that till date the representations have not been disposed of

nor the issue has been decided in respect of the notice dated 13.9.2022.

In view of the submissions advanced by the petitioners and the respondent NHAI (who issued the notice), I direct that in case any adverse order is passed against the petitioners, the NHAI Authority would immediately communicate them and grant ten days time before any adverse action is taken. The petitioners within the aforesaid period would be at liberty to exhaust their remedies before a court of law.

With the aforesaid observations, WPA 23246 of 2022 is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon compliance of necessary formalities.

(Tirthankar Ghosh, J.)