

07.11.2022

Sl no. 43

Ct no. 2

P.B

**Calcutta High Court
In the Circuit Bench at Jalpaiguri
Appellate Side**

WPA 2846 of 2022

**Subhash Dey
-Vs-
The State of West Bengal & Ors.**

Ms. Suman Sehanabis (Mondal),

... for the petitioner

Ms. Supriya Singh,

.....For the respondent/NHAI

Mr. Bikramaditya Ghosh,

Ms. Bedashruti Bose.

.....for the State.

Heard learned advocates appearing for the parties.

Petitioner has filed this Writ Petition being aggrieved by inaction on the part of the respondent Arbitrator and the Divisional Commissioner, Jalpaiguri Division/respondent no. 2 in concluding and passing final order in LA Case No. 09/2012-13 in spite of specific representation dated 7th September, 2022 as appears at Page – 93 being Annexure – P-6 to the writ petition and petitioner submits that petitioner's case is liable for consideration in view of the judgment of this Court

as well as the judgment of the Hon'ble Supreme Court as referred in the said representation.

Learned Advocate representing respondent no. 5 has filed a document dated 3rd November, 2022 and contends that the hearing in the aforesaid case has already been fixed on 22nd November, 2022.

Considering the facts and circumstances of the case and submission of the parties this Writ Petition being WPA 2846 of 2022 is disposed of by directing the respondent no. 2 to expedite the aforesaid pending proceeding in question by passing a reasoned and speaking order in accordance with law after giving opportunity of hearing to the petitioner or his authorized representative and after taking into consideration the contention made by the petitioner in his said representation dated 7th September, 2022, within three months from the date of communication of this order.

(Md. Nizamuddin, J.)