

03
20.12.2022
Ct.No.10
b.das

In The Circuit Bench at Jalpaiguri

WPA No. 3394 of 2022

**Surobala Barman
Vs.
Union of India & Ors.**

Mr. Arindam Das
Ms. Rumeli Sarkar ...for the petitioner.

Mr. L. M. Mahata
Mr. P. B. Mahata ...for the State.

Ms. Manika Roy ...for the NHAI.

Affidavit of service filed by the petitioner is taken on record.

Heard learned counsels for the parties.

The petitioner claims to be the heir and successor of the original owner of the plot in Mouza-Paschim Kathalbari-4 and submits that though the said plot was acquired by the National Highway Authority of India, no notice under Section 3G of the National Highways Act, 1956 was served upon the petitioner. The petitioner has also not been paid any compensation in lieu of the said acquisition.

The petitioner submitted a comprehensive representation before the concerned authority on 16th November, 2022, which is yet to be considered.

The petitioner prays for a direction upon the concerned authority to consider and dispose of the said representation at the earliest.

It is submitted on behalf of the respondents that the 8th respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 8th respondent to consider and dispose of the representation submitted by the petitioner dated 16th November, 2022 within a period of two months from the date of communication of this order after granting reasonable opportunity of hearing to all the interested parties including the petitioner, in accordance with law.

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

With the above directions, the writ petition being W.P.A. 3394 of 2022 is thus 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.)