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jdt.

23.08.2023
jb.

W.P.A. 869 of 2023
(Noor Hussain vs. Union of India & Ors.)

Mr. S. P. Lahiri
Md. Habibur Rahaman
.... For the Petitioner
Ms. Manika Roy
.... For the NHAI

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

None appears for the respondents despite service.

Mr. Chandi Charan De who is present in Court and usually appears for the State is requested to represent the State in this matter along with a junior of his choice. The appointment of Mr. De, learned advocate and Mr. Anirban Sarkar, learned advocate be regularised by the office of the learned Legal Remembrancer. Copy of the writ petition along with annexure thereto be served upon Mr. De in course of the day.

The petitioner is aggrieved by the fact that though land in three plots owned by him was acquired by the concerned authority, he has been paid compensation for two plots. Payment of compensation in respect of L.R. Plot No. 379 is pending. The petitioner submitted a representation in this regard before the concerned authority on 13th October, 2020 which is yet to be considered. The petitioner prays for a direction upon the authority to consider the representation at the earliest.

It is submitted on behalf of the respondents that the 5th respondent be directed to deal with the representation, in accordance with law.

In view of the above, the writ petition is disposed of directing the 5th respondent to consider and dispose of the representation submitted by the petitioner dated 13th October, 2020 within six weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioner, in accordance with law.

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

In the event the petitioner is found entitled to compensation, such compensation be disbursed in favour of the petitioner within one month thereafter.

The writ petition is thus disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)