

June 05, 2023
(23) ARDR

WPA 1673 of 2020

Abdul Khaleque
Vs.
The State of West Bengal & ors.

Adv. Subhrajit Chakraborty,
Adv. Sourav Ghosh,

...for the petitioner.

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

None appears for the State respondent, despite service.

Mr. Chandi Charan De, who usually appears for the State and is present in Court today, is requested to represent the State in this matter.

His appointment be regularised by the office of the learned Legal Remembrancer.

The petitioners are directed to serve copy of the writ petition along with annexures thereto upon Mr. De in course of this day.

Being aggrieved by the compensation paid to the petitioner for acquisition of his land under the National Highways Act, 1956, the petitioner filed an application under Section 3G(5) of the Act before the competent authority on 16th April, 2018 which is yet to be considered. The petitioner complains that other land owners similarly circumstanced with the petitioner have been granted more compensation than the petitioner by the authority. The

petitioner prays for a direction upon the authority to consider his application at the earliest.

It is submitted on behalf of the State respondent that the 3rd respondent be directed to consider the application in accordance with law.

In view of the above, the writ petition is disposed of directing the 3rd respondent to consider and dispose of the application filed by the petitioner under Section 3G(5) of the Act of 1956 on 16th April, 2018 within one month from the date of communication of this order upon affording reasonable opportunity of hearing to all the stakeholders including the petitioner, in accordance with law.

It is needless to mention that the decision taken by authority shall be communicated to the petitioner within a week thereof.

With the aforesaid directions, WPA 1673 of 2020 is disposed of.

There shall however, be no order as to costs.

Since no affidavit in opposition 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 furnished to the parties on usual undertakings.

(Suvra Ghosh, J.)