

WPA 2935 of 2018

Utpal Sarkar & Ors.

Vs.

The State of W.B. & Ors.

Mr. Soumyadeep Biswas ...for the
petitioners.

Mr. L. M. Mahata
Ms. Jhuma Chakraborty ...for the State.

Mr. Dipankar Das ...for the NHAI.

Heard learned counsels for the parties.

It is submitted on behalf of the petitioners that being aggrieved by the compensation granted to them for acquisition of their land, they filed an application under Section 3G(5) of the National Highways Act, 1956 before the learned Arbitrator. The petitioners received payment notice on ad hoc basis awarded under Section 3H of the Act of 1956, but no copy of the arbitral award was served upon them.

The petitioners seek a direction upon the State respondents to serve a copy of the arbitral award, if not already served, in order to enable them to approach the appropriate forum under Section 34 of the Arbitration and Conciliation Act, 1996.

Learned counsel for the State respondents is unable to apprise this Court as to whether copy of the arbitral award has already been served upon the petitioners or not.

In view of the above, the writ petition is disposed of directing the 3rd respondent to furnish a copy of the arbitral award upon the petitioners, if not already furnished, within 10 days from the date of communication of this order, in accordance with law.

With the above observations and directions this writ petition being WPA 2935 of 2018 is 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.)