

WPA 4967 of 2023

Smt. Renuka Pramanik & ors.
Vs.
The Union of India & Ors.

Adv. Raja Mantosh,
Adv. Manika Roy,
...for the petitioner.
...for the NHAI.

Affidavit of service filed by the petitioners 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 an order passed by the District Magistrate and Collector, Purba Medinipur on 15th June, 2022, the petitioners filed an appeal under Section 3G(5) of the National Highways Act, 1956 before the learned Arbitrator, being the 3rd respondent herein, which is yet to be considered. The petitioners pray for a direction upon the

said respondent to dispose of the said appeal within a stipulated time frame.

Upon consideration of the submission made on behalf of the parties, the writ petition is disposed of directing the 3rd respondent to consider and dispose of the said appeal preferred by the petitioners within two months from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioners in accordance with law.

It is needless to mention that the decision taken by the 3rd respondent shall be communicated to the petitioners within a week thereof.

It is made clear that this Court has not gone into the merits of the case and the learned Arbitrator shall be at liberty to deal with the issue independently and without being influenced by any observation which may have been made in this order.

With the aforesaid directions, WPA 4967 of 2023 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.)