

19.06.2023
rc/ct.no.10
Item No.22

WPA No. 10608 of 2023
Prabin Kumar Agarwal
Versus
Union of India & Ors.

Mr. Sougata Mitra
Mr. Rameswar Mitra
Mrs. Ankita Dey ...for the petitioner

Mr. Chandi Charan De
Mr. Anirban Sarkar ...for the State

Mrs. Manika Roy ...for the NHAI

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

The petitioner is aggrieved by the amount of compensation received by him for acquisition of his land by the State-respondents and submitted an application under Section 3G(5) of the National Highways Act, 1956 (hereinafter referred to as "the Act of 1956") before the learned Arbitrator on April 03, 2023. The said application is yet to be considered. The petitioner prays for a direction upon the learned Arbitrator to consider the application at the earliest.

It is submitted on behalf of the respondents that the learned Arbitrator, being the 6th respondent herein, be directed to consider and dispose of the application in accordance with law.

In view of the above, the writ petition is disposed of directing the 6th respondent to consider and dispose of the said application submitted by the petitioner on 3rd April, 2023 within a period of two months from the date of communication of this order, after giving reasonable opportunity of hearing to all the interested persons including the petitioner, in accordance with law.

With the above observations and directions this writ petition is disposed of.

There shall be, however, 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 furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)