

October 03, 2023  
ARDR (378)

**WPA 12581 of 2023**

Swarup Kumar Bera  
Vs.  
The State of West Bengal & Ors.

Adv. Raj Kumar Sain,  
Adv. Sukhendu Banerjee,

...for the petitioner.

Adv. Chandi Charan De,  
Adv. Anirban Sarkar,

...for the State.

None appears for the private respondent despite service.

It is contended on behalf of the petitioner that pursuant to an order passed by this Court on 3<sup>rd</sup> December, 2021 in WPA 12581 of 2021 proceeding under Section 10 of the West Bengal Highways Act, 1964 was initiated and concluded by an order passed under Section 10(3) of the Act. The private respondent preferred an appeal against the said order under Section 10(4) of the Act which is pending before the District Magistrate, Purba Medinipur. The petitioner prays for expeditious disposal of the appeal.

Upon consideration of the submission made on behalf of the parties, the writ petition is disposed of directing the 2<sup>nd</sup> respondent to consider and dispose of the appeal pending before him within one month from the date of communication of this order, in accordance with law.

With the aforesaid observations and directions, the writ petition, being WPA 12581 of 2023 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.)**