

WPA 23776 of 2022

Abbas Mondal @ Tanesur Mondal & Ors.
Vs.
The State of West Bengal & Ors.

Ms. Shabana Hasin
Mr. Mobiadur Hossain ...for the petitioners.

Mr. Chandi Charan De
Mr. Somnath Mukherjee ...for the State.

Mr. Amanul Islam
Mr. S. Mukherjee ...for the private respondent.

Heard learned counsels for the parties.

It is submitted on behalf of the petitioners that by an order passed on 8th February, 2022, in WPA 455 of 2022 this Court directed the concerned respondent to conclude the proceeding under Section 10 of the West Bengal Highways Act, 1964 within two months from the date of communication of the order.

Despite such direction, the proceeding under Section 10 (3) of the Act is still pending though hearing has been concluded. Since there was an earlier direction of this Court to conclude the proceeding under Section 10 of the Act of 1964 within two months from the date of communication of the earlier order passed on 8th February, 2022 in WPA 455 of 2022 and also since admittedly, no order has been passed in respect of the proceeding under Section 10(3) of the Act, the concerned authority, being the 3rd respondent herein, is directed to

pass an order under Section 10(3) of the Act and communicate the same to the petitioners within two weeks from the date of communication of this order.

With the above observations and directions the writ petition being WPA 23776 of 2022 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.)