

05.01.2023
rc/ct.no.10
Item No.16

WPA No. 25301 of 2022

Mr. Sambhunath Roy
Mrs. Tuhina Parvin
Mrs. Amrita Tewari
Mrs. Rubina Akhtar
Mr. Varun Raj Tiwari ...for the petitioners

Mr. Chandi Charan De
Mrs. Reshmi Rahaman ...for the State

Affidavit of service filed by the petitioners and the report filed by the State-respondents in Court today are taken on record.

The petitioners are aggrieved by the award in their favour under Section 3G(1) of the National Highways Act, 1956 (hereinafter referred to as the “Act of 1956”). The petitioners intend to pray for enhancement of the said award under Section 3G(1) of the Act of 1956.

Upon consideration of the submission made on behalf of the parties and the materials on record, the writ petition is disposed of with liberty to the petitioner to approach the appropriate authority under Section 3G(5) of the Act of 1956 within two weeks from date.

The concerned authority, being the 2nd respondent herein (learned Arbitrator), is directed to consider and dispose of the said application within three months from the date of receipt thereof upon affording reasonable

opportunity of hearing to all the affected parties including the petitioners, in accordance with law.

The decision taken by the authority shall be communicated to the petitioners within a week thereof.

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)