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09.08.2023  
Ct. No.2  
b.das

**IN THE HIGH COURT AT CALCUTTA  
Circuit Bench at Jalpaiguri  
Constitutional Writ Jurisdiction**

**WPA No. 1855 of 2023**

Coochbehar Tea Company Ltd. & Anr.

Vs.

The State of W.B. & Ors.

Mr. Deborshi Dhar ...for the petitioner.

Ms. Supriya Singh ...for NHAI.

Mr. Hirak Barman

Mr. Momenur Rahman ...for the State.

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

The petitioners claim to be lessees in respect of the plots in question by virtue of deed of lease executed on 23<sup>rd</sup> May, 2008 and submit that upon acquisition of their land by the National Highways Authority of India, notice under Section 3G(4) of the National Highways Act, 1956 was served upon the petitioners calling upon them to appear before the concerned authority for a hearing.

Learned counsel for the petitioners submits that though compensation was assessed by the authority to the tune of Rs.6,54,34,051/- a paltry sum of Rs.52 lakhs was offered to the petitioners.

The petitioners accepted the said amount after objection.

The petitioner submitted representations before the concerned authority on 19<sup>th</sup> December, 2019 and 10<sup>th</sup> July, 2023 respectively seeking enhancement of the quantum of compensation in respect of the acquired land. The representations are yet to be considered.

The petitioners pray for a direction upon the respondents to consider the representation at the earliest.

It is submitted on behalf of the respondents that the 3<sup>rd</sup> respondent be directed to consider the representation, in accordance with law.

In view of the above, the writ petition is disposed of directing the 3<sup>rd</sup> respondent to consider and dispose of the representations submitted by the petitioners dated 19<sup>th</sup> December, 2019 and 10<sup>th</sup> July, 2023 respectively within one month from the date of communication of this order upon affording reasonable opportunity of hearing to all the stakeholders including the petitioners, in accordance with law.

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

With the above observations and directions the writ petition 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.)**