

14.08.2024

Ct. no.39

Sl. No.7

SS

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
(Appellate Side)**

WPA 3970 of 2023

**Goutam Modak
Vs.
Union of India & Ors.**

Mr. Niraj Gupta
Ms. Manisha Paswas
..for the petitioner

Ms. Manika Roy
Ms. Shinjita Ray
Ms. Ankita Chowdhury
... for the N.H.A.I.

Mr. Ashim Kr. Ganguly, Ld. AGP
Mr. Sambuddha Dutta
..for the State

This writ petition has been filed under Article 226 of the Constitution of India praying for supply of copy of the award under Serial No.113P in connection with L.A. Case No.47 of 2015/NH-32.

Mr. Niraj Gupta, learned Advocate for the petitioner submits that the award has been passed in favour of the petitioner. However, no copy of the award has been supplied to the petitioner. The petitioner through his authorized Advocate and representative sent a letter dated 29th August, 2022 asking for supply of copy of the award. However, till date no copy of the award has been supplied to the petitioner. Hence, this writ petition. He seeks for appropriate order.

Ms. Manika Roy, learned Advocate for the respondent nos.3, 4 and 5-NHAI submits that the records

relating to the award is in the custody of the State-respondent.

Mr. Ashim Kr. Ganguly, learned Additional Government Pleader assisted by Mr. Sambuddha Dutta, learned Advocate for the State-respondent submits that as per the guideline issued by Joint Secretary, Land and Land Reforms Department dated 7th December, 2015 there is no statutory provision to hand over copy of the award. Hence, the petitioner is not entitled to get copy of the award.

Admittedly, the award has been passed in favour of the petitioner under Serial No.113P in connection with L.A. Case No.47 of 2015/NH-32. The compensation awarded has already been transferred to the bank account of the petitioner. Though it has been strenuously argued on behalf of the State-respondents that there is no statutory provision to hand over copy of the award but principles of natural justice entitles the petitioner to have the copy of the award passed by the authority.

Accordingly, the writ petition being **W.P.A.3970 of 2023** is disposed of by directing the respondent no.7, the Special Land Acquisition Officer, Purulia, to hand over a copy of the award under Serial No.113P in connection with L.A. Case No.47 of 2015/NH-32 to the petitioner within a period of one month from the date of communication of this order.

Petitioner is directed to communicate this order to the Special Land Acquisition Officer, Purulia, the respondent no.7.

All connected applications, if any, stand disposed of.

There will be, however, no order as to costs.

Interim order, if any, stands vacated.

All concerned parties shall act in terms of the copy of the order duly downloaded from the official website of this Court.

Urgent photostat copy of this order, if applied for, be given to the parties upon compliance of necessary legal formalities.

(Bivas Pattanayak, J.)