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03.01.2024
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W.P.A. 10534 of 2023
(Bhairab Mahato & Ors. vs. Union of India & Ors.)

Mr. Sougata Mitra
Mr. Rameshwar Sinha
Ms. Subhasri Chatterjee
.... For the Petitioners
Mr. Chandi Charan De
Mr. Anirban Sarkar
....For the State

Affidavit of service filed on behalf of the petitioners is taken on record.

None appears for the National Highways Authority of India despite service.

The petitioners claim to be the recorded owners of the plot in question which was acquired for the purpose of construction/extension of National Highway-32 at Purulia. The petitioners are dissatisfied with the compensation paid to them which was received by them on protest, on the ground that assessment of compensation was not made in terms of the prevailing market value of the land in question. The petitioners filed a representation under Section 3 G (5) of the National Highways Act, 1956 before the Commissioner, Medinipur Division, being the 6th respondent herein on 31st March, 2023 which is yet to be considered.

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

Upon consideration of the submission made on behalf of the parties, the writ petition is disposed of directing the 6th respondent to consider and dispose of the representation submitted by the petitioners dated 31st March, 2023 within two months from the date of communication of this order upon affording reasonable opportunity of hearing to all concerned including the petitioners, in accordance with law.

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

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)