

April 18, 2024  
(16) ARDR

**WPA 11231 of 2022**

Hayat Ali & anr.  
Vs.  
The State of West Bengal & ors.

Adv. Partha Pratim Roy,  
Adv. Dyutiman Banerjee,  
...for the petitioners.  
Adv. Manika Roy,  
...for the NHAI.  
Adv. Chandi Charan De,  
Adv. Chandana Ghosh,  
...for the State.

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

The petitioners seek compensation for acquisition  
of their land in terms of the circular issued by the  
Ministry of Road Transport and Highways, Government  
of India bearing no. NH-11011/30/2015-L.A. The  
petitioners seek to submit a comprehensive  
representation in this regard before the concerned  
authority and pray for a direction upon the authority to  
consider the representation at the earliest.

Learned counsels for the respondents submit 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  
with liberty to the petitioners to submit a comprehensive  
representation before the 3<sup>rd</sup> respondent within three  
weeks from date. The 3<sup>rd</sup> respondent is directed to  
consider and dispose of the representation within two

months from the date of receipt thereof upon affording reasonable opportunity of hearing to all concerned including the petitioners and in terms of the circular as referred to above, in accordance with law.

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

It is made clear that this Court has not gone into the merits of the case and the authority shall be at liberty to deal with the matter independently in accordance with law.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to have been 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.)**