

07.08.2024

Item No. 01

Crt.No.02

b.r.

WPA 19537 of 2024

K.B. Sales Limited

-vs-

The State of West Bengal & Ors.

Mr. Saptangsu Basu, Sr. Adv.

Mr. Arindam Banerjee

Mr. Anupam Dasadhikari

Mr. Snehashish Sen

Mr. Abhishek Banerjee

Mr. Prakash Mishra

Ms. Harshita Nath

..... for the petitioner.

Mr. Soumitra Bandyopadhyay

Mr. Priyabrata Batabyal

.... For the State-respondents.

Mr. Falguni Majhi

.... For the respondent nos. 6 to 8.

Affidavit of service and supplementary affidavit affirmed today filed in Court are taken on record.

Mr. Saptangsu Basu, learned Senior advocate appears for the petitioner.

Mr. Falguni Majhi, learned advocate appears for the respondent nos. 6 to 8.

Mr. Priyabrata Batabyal, learned State advocate led by Mr. Soumitra Bandopadhyay, learned State counsel appears for the respondent nos. 1 to 5.

On the prayer of the learned counsel for the petitioner leave is granted to file supplementary affidavit. Supplementary affidavit filed in Court today is taken on record.

On instruction, learned State counsel submits that they shall refer the dispute being the subject matter in the writ petition before the jurisdictional principal Civil Court in terms of the provisions laid down under **Sub-Section 4 to Section 3H of the National Highways Act, 1956** positively within a period of **two weeks** from date. It is submitted that mistakenly an order was passed by the **respondent no.4** dated **July 30, 2024**, consequently the same stands **set aside and quashed**. The jurisdictional principal Civil Court upon reference being made shall proceed and dispose of the matter strictly in accordance with law as expeditiously as possible.

In view of the above, nothing further survives in the writ petition.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

In view of the above, this writ petition, **WPA 19537 of 2024** stands **disposed of**, without any order as to costs.

Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Aniruddha Roy, J.)