

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

19 05.11.2024
Sc Ct. no.2

WPA 26056 OF 2022

Prasannya Kumar Bag & Ors.

Vs.

Union of India & Ors.

Mr. Indranath Mukherjee
Mr. Arnab Kr. Neogi
Mr. Pradip Kr. Neogi.

.....For the Petitioners

Mr. Navneet Misra

....For the UOI

Ms. Manika Roy
Ms. Ankita Chowdhury
Ms. Shinjita Ray.

....For the Respondent
Nos. 2 to 4/ NHAI

Affidavit-of-service, filed in Court today, is taken on record.

Mr. Indranath Mukherjee, learned advocate appears for the petitioners.

Mr. Navneet Misra, learned advocate appears for the Union of India.

Ms. Manika Roy, learned advocate appears for the respondent nos. 2 to 4.

The petitioners submit that, their land has been acquired for the purpose of construction and widening of the National Highway, **NH-01**. The averments made in paragraph 7 to the writ petition shows compensation has been determined but not paid to the petitioners. While determining the compensation by the appropriate

authority, the petitioners participated in the hearing and produced all the relevant documents. However, till date compensation has not been paid.

Ms. Manika Roy, learned advocate appearing for the respondent nos. 2 to 4 submits that, the entire compensation amount has duly been disbursed by the National Highway Authority of India and the same is lying with the respondent no.8 who should disburse the amount to the petitioners.

Considering the above, the petitioners shall visit the office of the respondent no.8 by themselves or through their authorized representative within a period of **ten days** from date when upon verification of all documents and records the respondent no.8 shall disburse and pay the compensation payable to the petitioners strictly in accordance with law.

The entire exercise as directed herein shall be carried out and completed by the respondent no.8 including making payment to the petitioners positively within a period of **eight weeks** from the date of communication of this order.

It is needless to mention that, while disbursing the compensation and paying the same to the petitioners, the respondent no.8 shall take all steps strictly in accordance with law.

While calculating and disbursing the compensation, the respondent no.8 shall calculate the interest @**8%** per

annum to be payable to the petitioners from the date of taking over of possession of the subject land till the date of tendering the actual compensation to the petitioners.

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

With the above observations and on the above terms this writ petition, **WPA 26056 of 2022** stands ***disposed of***, without any order as to costs.

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

(Aniruddha Roy, J.)