

719
22.03.2024
Ct. No.10
b.das

WPA 27816 of 2023

Utpal Koley
Vs.
The State of W.B. & Ors.

Mr. Shiv Shankar Banerjee
Mr. Surajit Mahisal
Ms. A. Ghosh ...for the petitioner.

Mr. Chandi Charan De
Mr. Anirban Sarkar ...for the State.

Ms. Manika Roy
Ms. Shinjita Ray ...for NHAI.

Affidavit of service filed by the petitioner is taken on record.

Heard learned counsels for the parties.

Being unhappy with the compensation granted to him for acquisition of his land under the National Highways Act, 1956, the petitioner filed an application under Section 3G(5) of the National Highways Act, 1956, which is yet to be considered. The petitioner prays for a direction upon the concerned authority to consider the application at the earliest.

Learned counsels for the respondents submit that the 6th respondent be directed to consider the application in accordance with law.

In view of the above, the writ petition is disposed of directing the 6th respondent to consider and dispose of the application submitted by the petitioner dated 27th

November, 2019 within three months from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioner, in accordance with law.

The petitioner shall be at liberty to file a supplementary application before the authority in this regard, if required.

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

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