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27.03.2024
Ct. No.10
b.das

WPA 28731 of 2023

Sayed Ali Mallik & Ors.
Vs.
The Union of India & Ors.

Mr. Falguni Mahjhi	...for the petitioners.
Mr. Chandi Charan De	
Mr. Anirban Sarkar	...for the State.
Ms. Manika Roy	...for NHAI.
Mr. Amal Kr. Datta	...for UOI.

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

Heard learned counsels for the parties.

Learned counsel for the petitioners submits that the land of the petitioners has been utilized by the National Highways Authority of India but no compensation has been paid to the petitioners for the same.

The petitioners submitted a representation in this regard before the concerned authority on 16th October, 2023, pursuant to which the Project Director, National Highways Authority of India, by a letter issued on 10th November, 2023, requested the competent authority and District Magistrate, Purba Bardhaman to look into the matter and provide the details with regard to the payment of compensation, if any, to the land owners. The representation is yet to be considered. The petitioners pray

for a direction upon the concerned authority to consider the representation at the earliest.

Learned counsel for the State respondents submits that the 2nd respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 2nd respondent to consider and dispose of the representation submitted by the petitioners dated 16th October, 2023 within one month from the date of communication of this order upon affording reasonable opportunity of hearing to all the interested persons including the petitioners, in accordance with law.

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

With the above observations and directions the writ petition is disposed of.

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.)