

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

12 15.01.2025
Sc Ct. no.2

WPA 541 OF 2025

Nandan Dalai & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Kaustav Chandra Das
Mr. Sk. Sahajahan Ali.

.... For the Petitioners

Mr. Nilotpal Chatterjee
Ms. Sanchayita De.

.... For the Respondent
Nos. 1 to 9

Mr. Rabilal Maitra
Mr. Amlan Kumar Mukherjee
Mr. Rajit Lal Maitra.

.... For the Respondent
Nos.10 & 11

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

Mr. Kaustav Chandra Das, learned Advocate
appears for the petitioners.

Mr. Rabilal Maitra, learned Senior Advocate
appears for the private respondent nos. 10 and 11.

Mr. Nilotpal Chatterjee, learned State Advocate
appears for the respondent nos. 1 to 9.

Referring to **page 172** from the writ petition
learned Advocate for the petitioner submits that, the
principal grievance in this writ petition is that, the
appeal preferred under **sub-Section (4) to Section 10**
of the **West Bengal Highways Act, 1964** is long

pending before the jurisdictional appellate authority and the petitioners pray for an expeditious disposal thereof.

In view of the above, the jurisdictional appellate authority, before whom the appeal is pending, shall dispose of the appeal after granting an opportunity of hearing to the parties thereto by passing a reasoned order in accordance with law.

The entire exercise shall be carried out and completed by the jurisdictional appellate authority positively within a period of **six weeks** from the date of communication of this order.

All the parties before this Court today shall be at liberty to communicate this order to the jurisdictional appellate authority.

It is made clear that, this Court has not gone into the merits of the appeal and the parties to the appeal shall be free to urge whatever points they wish to urge by relying upon whatever records and documents they want to reply upon before the jurisdictional appellate authority but the same shall not travel beyond the scope of the appeal.

It is needless to mention that, after the reasoned order is passed, the parties shall be at liberty to provide with the reasoned order positively within a period of **a week** from the date of the said reasoned order to be passed in accordance with law.

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 directions, this writ petition, **WPA 541 of 2025** stands ***disposed of***, without any order as to costs.

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

(Aniruddha Roy, J.)