

N.22Sl
151/CL

WPA 8864 of 2025

Souvik Nayak & Anr.

-vs-

The State of West Bengal & Ors.

24.10.2025
SL-22
Ct.19
(S.R.)

Mr. Siddhartha Sankar Mandal
Mr. Tirtha Pati ... for the petitioners.

Mr. Wasim Ahmed
Mr. Harun-Al-Rashid ... for the State.

1. The affidavit-of-service as filed today on behalf of the writ petitioners is taken on record.
2. The writ petitioners and the respondent/State are represented by their respective counsel.
3. At the time of hearing, Mr. Mandal, learned advocate appearing on behalf of the writ petitioners at the very outset draws attention of this Court to page no.16 of the instant writ petition, being a copy of the notice dated 16.02.2024, as issued by the Special Land Acquisition Officer, Suri Birbhum addressed to the writ petitioners requesting him to remain present at the day and hour as mentioned in the said notice when re-measurement of the structures standing on the land in question would take place.
4. It is submitted by Mr. Mandal that the only prayer as made by the writ petitioners is to issue an appropriate writ against the respondent no.2/authority commanding him to intimate the outcome of the revised valuation as made by him as per re-

measurement pursuant to such notice dated 16.02.2024.

5. Such prayer is opposed by Mr. Ahmed, learned advocate appearing on behalf of the respondent/State by saying that the award as has been passed by the respondent no.7/authority is now subject matter of arbitration in terms of the provision of Section 3G(5) of the National Highways Act, 1956 (hereinafter referred to as the 'said Act of 1956').
6. On careful consideration of the entire materials as placed before this Court and after hearing the learned advocates for the contending parties, this Court considers that pendency of an arbitration proceeding under Section 3G(5) of the said Act cannot stand in the way to the relief, as sought for by the writ petitioners. In considered view of this Court, the writ petitioners are very much entitled to get the result of the outcome of the revised measurement as per the notice dated 16.02.2024.
7. In view of such, this Court while disposing the instant writ petition directs the respondent no.2/authority to communicate the outcome of the revised valuation as per re-measurement conducted on 22.02.2024 in terms of the notice dated 16.02.2024 to the writ petitioners positively within 15 working days from the date of communication of the sever copy of this order.
8. The time limit, as fixed by this Court, is mandatory

and peremptory.

9. Liberty is given to the learned advocate-on-record for the writ petitioners to communicate the server copy of this order to the respondent no.2/authority.
10. The respondent no.2/authority is directed to act on the server copy of this order.
11. With the aforementioned observations, the instant writ petition being **WPA 8864 of 2025** is disposed of.
12. There shall, however, no order as to costs.
13. Urgent photostat certified copies of this order, if applied for, be supplied to the parties upon compliance with all the necessary formalities.

(Partha Sarathi Sen, J.)