

10-04-2026

Ct. 19

WPA 8147 of 2026

Sahanaj Uddin & Ors.
Versus
Union of India & Ors.

Mr. Kazi Najesh Haque
Ms. Soujanya Das

...for the petitioners

Mr. Siddhartha Lahiri
Mr. Subrata Santra

...for the UOI

Affidavit of service filed in Court is taken on record.

The petitioners allege that the compensation amount determined by the competent authority under the National Highways Act, 1956 has not been paid in accordance with the relevant provision of the statute.

The learned Advocate appearing for the petitioners submits that the amount determined by the competent authority is not acceptable to the petitioners.

Section 3G(5) of the National Highway Act, 1956 states that if the amount determined by the competent authority under sub-section (1) or sub-section (2) is not acceptable to either of the parties, the amount shall, on an application filed by either of them, be determined by the arbitrator to be appointed by the Central Government.

The petitioners have only submitted a representation before the District Magistrate but has not applied under Section 3G(5) of the 1956 Act. At this stage, the learned Advocate appearing for the petitioners prays for leave to take steps in accordance with Section 3G(5) of the 1956 Act.

Accordingly, this writ petition stands disposed of by giving liberty to the petitioners to take steps in accordance

with the provisions of Section 3G(5) of the 1956 Act.

If the appropriate authority under Section 3G(5) of the 1956 is approached, such appropriate authority shall take a decision in accordance with law as expeditiously as possible but preferably within a period of four months from the date such authority is approached.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

(Hiranmay Bhattacharyya, J.)