

Court No. 19  
(265719)

**11.06.2026**  
(AD 19)  
(S. Banerjee)

WPA 11350 of 2026

Sekh Chhabera  
Vs.  
The State of West Bengal & Ors.

Mr. Ivan Roy  
Mr. Debangshu Bandhu  
Mr. Nirupam Dutta

...for the petitioner

Mr. Nilanjan Bhattacharjee, Sr. Advocate  
Ms. Jayita Dhar Chakraborty  
Mr. Rhitam Chatterjee

...for the State

Ms. Manika Roy  
Mr. Atanu Sur

...for the NHAI

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

The petitioner is aggrieved by the quantum of  
compensation determined by the competent authority  
under the National Highways Act, 1956.

Section 3G(5) of the 1956 Act 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 by either of the parties, be determined by  
the Arbitrator to be appointed by the Central  
Government.

Section 3G(6) of the 1956 Act states that  
subject to the provisions of this Act, the provisions of

the Arbitration and Conciliation Act, 1996 (26 of 1996) shall apply to every arbitration under this Act.

Learned advocate appearing for the petitioner submits that the petitioner has been compelled to approach this Court as the office of the District Magistrate who has been appointed as an Arbitrator under the 1956 Act refused to accept the copy of the application from the petitioner.

Mr. Bhattacharjee, learned Sr. Standing Counsel for the State submits, on instruction, that there was some communication gap for which the petitioner was given to understand that the copy will not be accepted. He further submits that if the petitioner approaches the office of the District Magistrate with an appropriate application, the same shall be accepted in official course of business.

Learned advocate appearing for the petitioner submits that the petitioner shall approach the office of the District Magistrate within a fortnight from date.

NHAI is represented by their learned advocate.

In case the petitioner approaches the District Magistrate under the provisions of Section 3G(5) of the 1956 Act, the Arbitrator under the said Act shall decide the same in accordance with law as expeditiously as possible but positively within a

period of four months from the approach made by the petitioner.

With the above observations the writ petition stands disposed of.

**(Hiranmay Bhattacharyya, J.)**