05.10.2026
Sl. No. 12 (ML)
Ct.No.19
(Susanta)
(Bench I.D. 266052)

WPA 25134 of 2025

Haidar Mondal & Ors.
Vs.
The Chief General Manager (Tech) and Regional Office National Highways Authority of India & Ors.

Mr. Tanmoy Mukherjee,
Mr. Gourav Das,
Ms. Sanchayita De,
... for the Petitioners.

Mr. Dinesh Chandra Singh,
Ms. Manisha Paswan,
... for the State.

Ms. Manika Roy,
.... For the NHAI.

1. Parties are represented by their respective learned advocates.

2. The affidavit of service as filed on behalf of the writ petitioners is taken on record.

3. On behalf of the writ petitioners, some challans have been filed showing payment of deficit Court fees.

4. Let the affidavit of service and the challans be kept with the record.

5. At the time of hearing, Mr. Mukherjee learned advocate appearing on behalf of the writ petitioners draws the attention of this Court to page Nos. 40 and 41 of the instant writ petition, being copies of the notification under Section 3G of the National Highways Act, 1956 (the "said Act" in short).

6. It is submitted that from the said notification it would reveal that plot nos. 1769 and 1770 were

intended to be acquired by respondent no. 5 authority for construction of the National Highway.

7. It is submitted that on account of such acquisition, the writ petitioners were served with a notice dated 07.05.2025 in connection with LA Case no. 42A/N.H-116A(EC)/2022-23 under N.H. ACT-1956 by the respondent no. 5 authority, copies of which have been annexed at page numbers 61 to 62 of the instant writ petition.

8. It is further submitted by Mr. Mukherjee, learned advocate for the writ petitioners that it is the specific case of the writ petitioners, more specifically in paragraph 17 of the instant writ petition, that despite service of the said notices and despite objections raised by the present writ petitioners, the respondent no. 5 authority has not disposed of the aforementioned LA cases no. 42A/N.H-116A(EC)/2022-23 under N.H. ACT-1956 by passing a reasoned order.

9. It is thus submitted by Mr. Mukherjee, that the respondent no. 9 authority may be directed to conclude the aforementioned LA case at the earliest.

10. Learned advocate appearing on behalf of the respondent State submits before this Court that he intends to file a report in connection with the instant writ petition.

11. Ms. Roy, learned advocate appearing on behalf of the NHAI authority supports the contention of the learned advocate for the respondent State.

12. On careful perusal of the entire materials as placed before this Court and after hearing the learned advocates for the contending parties, it appears to this Court that for disposal of the instant writ petition, for the present, no report is required to be filed by the respondent State, in view of the fact that it is the modest prayer of the writ petitioners for expeditious disposal of the aforementioned LA case by respondent no. 5 authority.

13. In view of such, this Court, while disposing of the instant writ petition, directs respondent no. 5 authority to dispose of LA Case No. 42A/N.H-116A(EC)/2022-23 under N.H. ACT-1956 positively within 60 working days from the date of communication of this order, after giving a fair chance of hearing to all the stakeholders, if not done in the meantime.

14. It is further directed that respondent no. 5 authority shall communicate his reasoned order to all the writ petitioners soon thereafter.

15. With the aforementioned observations, the instant writ petition is disposed of.

16. Before parting with, it is, however, made clear that while disposing of the instant writ petition, this Court has made no observation in regard to the merit of the LA case no. 42A/N.H-116A(EC)/2022-23 under N.H. ACT-1956 pending before the respondent no. 5 authority.

17. It is further made clear that in the event, while passing the reasoned order, it is found by respondent no. 5 authority that the land of the writ petitioner has been acquired, he is directed to take all consequential action soon thereafter.

(Partha Sarathi Sen, J.)