

731
jdt.

12.04.2024
jb.

W.P.A. 466 of 2024

Mr. Srijib Chakraborty

Mr. Arindam Das

Mr. D. Kar

.... For the Petitioner

Ms. Monika Roy

Ms. Shinjita Ray

.... For the NHAI

Mr. Asim Kr. Ganguli

Mr. Tarak Karan

.... For the State

Mr. Gouranga Kr. Das

.... For the Union of India

Affidavit of service filed on behalf of the petitioner is taken on record.

Heard learned counsels for the parties.

Learned counsel for the National Highways Authority of India submits that since NH 81 which is the subject matter of the writ petition is under control and supervision of the State authorities, National Highways Authority of India has no role to play in the present writ petition. Learned counsel requests for expunging the names of respondent nos. 2, 3 and 6 from the cause title of the writ petition.

In view of the above, the names of respondent nos. 2, 3 and 6 be expunged from the cause title of the writ petition. Cause title of the writ petition be amended accordingly.

Learned counsel for the petitioner submits that being unhappy with the award under Section 3G (1) of the National Highways Act, 1956 the petitioner filed an application under Section 3G (5) of the Act. No notice of arbitration has been issued upon

them. Also, copy of the award declared under Section 3G (1) of the Act has not been served.

Learned counsel for the State respondents seeks to submit report in the form of affidavit annexing relevant documents as to whether notice of arbitration has been served upon the petitioner, arbitration has been held upon hearing the petitioner and also the copy of the award under Section 3G (1) of the Act.

Let the matter appear under the same heading on 10th May, 2024.

(Suvra Ghosh, J.)