

ITEM NO.3

COURT NO.10

SECTION XVI

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 12539/2017

(Arising out of impugned final judgment and order dated 22-12-2016 in MAT No. 433/2016 passed by the High Court Of Calcutta)

ASHOK KUMAR AGARWALA

Petitioner(s)

VERSUS

STATE OF WEST BENGAL &amp; ORS.

Respondent(s)

Date : 14-08-2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE  
HON'BLE MR. JUSTICE ASHOK BHUSHAN

For Petitioner(s) Mr. Zoheb Hossain, AOR

For Respondent(s) Mr. Raja Chatterjee, Adv.  
Mr. Chanchal Kumar Ganguli, AOR  
Mr. Adeel Ahmed, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

After hearing the learned counsel for the parties and on perusal of the record of the case, we are of the opinion that the representation dated 17.12.2015 (Annexure P-4) submitted by the petitioner to the competent authorities in relation to the dispute which is involved in the case at hand needs to be decided in accordance with law, after hearing all the affected parties to the case.

It is for the reason that admittedly the said representation is still pending consideration before the competent authority i.e.

Highway Authority of West Bengal for its due consideration.

In the light of the aforesaid direction that we have given to the Highway Authority, West Bengal, the impugned order passed by the High Court is set aside.

Let the representation be decided expeditiously after hearing the concerned parties.

The Special Leave Petition is disposed of accordingly.

Pending application(s), if any, stands disposed of accordingly.

(ASHWANI THAKUR)  
COURT MASTER

(SAROJ KUMARI GAUR)  
COURT MASTER