

ITEM NO.9

COURT NO.5  
(HEARING THROUGH VIDEO CONFERENCING)

SECTION XVI

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No.13623/2020

(Arising out of impugned final judgment and order dated 18-02-2019 in WP No.3165/2019, 05-11-2019 in CAN No.9728/2019 passed by the High Court At Calcutta)

NATIONAL HIGHWAY & INFRASTRUCTURE  
DEVELOPMENT CORPORATION LIMITED

Petitioner(s)

VERSUS

RAKESH KUMAR BHAGAT &amp; ORS.

Respondent(s)

(FOR ADMISSION and I.R.; IA No.60838/2020 - FOR CONDONATION OF DELAY IN FILING; IA No.60840/2020 - FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT; IA No.60842/2020 - FOR EXEMPTION FROM FILING AFFIDAVIT; and, IA No.60839/2020 - FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 20-07-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT  
HON'BLE MR. JUSTICE VINEET SARANFor Petitioner(s) Mr. S.B. Upadhyay, Sr. Adv.  
Ms. Anisha Upadhyay, AOR  
Mr. Nishant Kumar, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E RBy order dated 18.02.2019, the High Court had directed as  
under:

"In such circumstances, till the recognition and verification procedure is complete, firstly the petitioners cannot be said not to be protected under the Act of 2006 and secondly they cannot be evicted from the locale.

In such circumstances, the authorities will not undertake the project or evict the petitioners in any manner whatsoever from the locale till the recognition and verification procedure is complete by the State. On completion of such recognition and verification procedure, the State will inform the petitioners giving them at least a fortnight's time about such decision."

Thereafter, the matter was taken up on 05.11.2019 and the application preferred by the present petitioner was directed to be taken up along with the writ petition for final hearing on 28.11.2019.

Mr. S.B. Upadhyay, learned Senior Advocate submitted that the application and the writ petition have not been taken up for final hearing and the important project has been stalled completely.

We request the High Court to dispose of the application preferred by the petitioner and the writ petition as early as possible and preferably within three weeks from the receipt of this order.

List this matter for further consideration on 18.08.2020.

(MUKESH NASA)  
COURT MASTER

(PRADEEP KUMAR)  
BRANCH OFFICER