

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.11272 OF 2013

Vijaya Gharat. .. Petitioner
Vs
Oil and Natural Gas Corporation Limited. .. Respondent
—
Ms. Anubha Rastogi i/by Mhatre Bhavana H for the Petitioner.
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CORAM : A.S. OKA &
REVATI MOHITE DERE, JJ
DATED : 18TH JUNE 2015

P.C.

. Heard learned counsel appearing for the Petitioner. The Petition proceeds on the premise that the land bearing Survey No.96/5 at Village- Funde, Taluka -Uran, District – Raigad, was acquired for the public purpose. By placing reliance on the Government Resolution dated 27th October 2009 (Exhibit – C to the Petition), the Petitioner is claiming an appointment on the establishment of the Oil and Natural Gas Corporation Limited (ONGC).

2. After having perused the Petition, we find that the entire basis of the Petition is erroneous. The Petitioner is relying upon the notice dated 9th November 1981 issued by a Competent Officer of the ONGC. The said notice is under the provisions of Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right

of User in Land) Act, 1962. Assuming that the said notice is acted upon, what is acquired by the ONGC as per Section 6 thereof is not the land but at highest, a right to use the land for laying pipelines. Therefore, the case made out in the Petition that the land of the Petitioner's predecessor was acquired cannot be accepted. The Petitioner is relying upon the employment granted to one Shri Amar Arjun Gharat. The Exhibit-H to the Petition shows that the employment was granted on the basis of the acquisition of the lands of his family for New Bombay Project.

3. The learned counsel appearing for the Petitioner contends that there is a policy which covers the case of the persons whose lands were used for laying down pipelines under the provisions of the said Act of 1962. However, no such policy is produced on record. The existence of such policy is not even pleaded in the Petition.

4. Therefore, going by the averments made in the Petition, no relief can be granted to the Petitioner. The Writ Petition is accordingly rejected.

(REVATI MOHITE DERE, J)

(A.S. OKA, J)