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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION No. 78 OF 2015

Shri Sachin Suresh Kadam ... Petitioner
Vs.
The Union of India through
its Secretary & Ors. ... Respondents

Ms. Manjusha Patil i/b Yogesh Dalvi, for the Petitioner.

Ms. Nisha Valwani, for the Respondent – UOI.

Mr. Minoo Sisodia a/w Ma. Ashiya Shaikh i/b Rustomji & Ginwala,
for Respondent No. 4 – HPCL.

Mr. Nitin Deshpande, for Respondent No. 3.

Mr. V. B. Thadani, AGP for Respondent No. 2 – State.

CORAM : V. M. KANADE, &
Mrs. SWAPNA S. JOSHI, JJ.

DATE : OCTOBER 5, 2016

PC.

1. The learned advocate appearing for the Petitioner submits that the advocate on recording for the Petitioner is appearing in the Court at Thane in some other matter. She, therefore, submits that the matter may be adjourned. We decline to adjourn the matter because the matter is of 2015.

2. By this petition which is filed as a PIL under Article 226 of the Constitution of India, Petitioner is seeking following reliefs:

- “(a) This Hon'ble Court be pleased to issue writ of mandamus or a writ, order or direction in the nature of writ of mandamus, or any other appropriate writ, order, or direction, thereby direct the Respondent No. 1 to 4, particularly the Respondent No. 1 Union of India to take immediate necessary steps for diverting the Uran Chakan Shikarpur Pipe-line parallel to Highway or in alternative the project affected land owner be awarded full compensation as per the present market value in alternative the Respondent be directed to reallocate the land of the villagers in lieu of the acquisition of their land in surrounding of the said village.
- (b) Pending the hearing and final disposal of the present Public Interest Litigation this Hon'ble Court be pleased to stay the operation implementation of the acquisition of the land under Petroleum and Mineral Pipelines (Acquisition of Right of User in Land) Act, 1962 for the Uran Chakan Shikarapur Project.
- (c) Ad-interim in terms of prayer clause (d) and (e) be granted.
- (d) Any other suitable relief to which the Petitioner may

be deemed entitled to, be kindly granted in favour of the Petitioner.”

3. We are informed by Mr. Minoo Siodia, learned counsel appearing for Respondent No. 4 that almost 35% of the work is over and the pipeline is being installed in the land of various persons and compensation is paid to those farmers / land owners, not only for the purpose of installation of pipeline but also for the loss caused on account of displacement of crops. It is submitted that acquisition is made on a temporary basis and the project is of national importance and it is for the benefit of public at large.

4. Taking into consideration the aforesaid facts, we are not inclined to entertain this petition as a PIL. PIL is therefore dismissed.

Sd/-
[Mrs. SWAPNA S. JOSHI, J.]

Sd/-
[V. M. KANADE, J.]

Vinayak Halemath