

Court No. 24
14.09.2020
(Item No. 18)
(SB / S. Banerjee)

W.P.A. 6658 of 2020
(Old No. W.P. 6658 (W) of 2020)
CAN 1 of 2020
(Old No. CAN 5517 of 2020)
Biddyt Mukherjee & Ors.
Vs.
Union of India & Ors.
(Through Video Conference)

Mr. Debashis Banerjee
Mr. Supreme Naskar

... For the petitioners

C.A.N. 1 of 2020 (Old No. 5517 of 2020) is disposed by taking up the writ petition for consideration.

Petitioners complain that the respondent no. 2 is laying an underground pipeline on the property belonging to the petitioners without taking permission. Writ petitioners filed an objection under section 5 of the Petroleum and Minerals Pipelines Act (Acquisition of Right of User in Land) Act, 1962 with the respondent no. 3. The respondent no. 3 is the designated authority to decide such objection. The respondent no. 3 did not do so.

None appears for the respondents despite notice.

In the facts of the present case, since the land belonging to the petitioners is being utilized by the respondent no. 2 and such use being objected to by the petitioners, and since an objection is pending with the respondent no. 2 under the provisions of Petroleum and Minerals Pipelines Act (Acquisition of Right of User in Land) Act, 1962, it would be appropriate to request the respondent no. 3 to dispose of such objection as expeditiously as possible. The respondent no. 3 will afford a reasonable opportunity of hearing to the

petitioners. The respondent no. 3 is at liberty to hear and consult the necessary parties while disposing of the objection under section 5 of the Act of 1962. He will pass a reasoned order and will communicate such order to the parties forthwith thereafter. It is expected that the entire exercise is completed by the respondent no. 3 within a period of six weeks from the date of communication of this order to him.

W.P.A. 6658 of 2020 (Old No. WP 6658 (W) of 2020) is disposed of,

There shall be no order as to costs.

(Debangsu Basak, J.)