

W.P.A. 6861 of 2021

(Via Video Conference)

Murulidhar Goswami & Ors.
Vs.
The State of W.B. & Ors.

Mr. Mrinal Kanti Ghosh ...for the
petitioner.

Mr. Soumitra Bandyopadhyay
Mr. S. Bandyopadhyay ...for the State.

Heard the parties.

The grievances of the petitioner is directed against non payment of compensation in respect of laying of gas pipe line through the subject premises.

It is significant that the proceedings have been initiated under the Petroleum and Minerals Pipe Line (Acquisition of Right of user in Land) Act, 1962.

Mr. Bandyopadhyay appears on behalf of the State respondents submits and relies on paragraphs 6 and 7 of the petition. It is submitted on behalf of the State-respondents that there are private disputes by and between the petitioner and one Dukhoharan Goswami.

It is further pointed out by Mr. Bandyopadhaya that there is also pending a case before the West Bengal Land

and Tenancy Tribunal by and between the petitioner and the private respondent.

I have heard the parties and I am of the view that it is indisputable fact that in respect of the subject premises there are private disputes by and between the petitioner and the private respondent and the same are the subject matter before a Competent Forum. I also find that there are disputed questions of facts which cannot be adjudicated by a Writ Court. Such disputes are admittedly pending adjudication and have not attained finality.

Accordingly, I the writ petition is not maintainable and the same is dismissed as being not maintainable. However, there will be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Ravi Krishan Kapur, J.)