

WPA 13252 of 2017

Sunil Shaw
Vs.
The Union of India & Ors.

Mr. Kaushik Sarkar,
...for the petitioner.
Mr. Victor Chatterjee,
Ms. Sharmistha Ghosh,
...for the respondent no.2.
Ms. Rama Ghosh Dastidar
...for the UOI/respondent no.1.

Affidavit of service filed by the petitioner is taken on record.

It is submitted on behalf of the 1st respondent that the Union of India has no role to play in this matter and as such, no report is required to be filed by them.

It is not in dispute that the plot of land owned by the petitioner has already been utilised. The petitioner has claimed compensation in lieu of the same.

It is submitted on behalf of the 2nd respondent that the petitioner is one of the owners of plot no.370 in Khatian nos.127 and 128, Mouza Balidah in district Hooghly and the Indian Oil Corporation Limited has purchased a portion of the said plot from the other owners. Learned counsel submits that corporation is agreeable to pay compensation to the petitioner in respect of the portion of the plot owned by him subject to demarcation of the portion owned by the petitioner by the competent authority under the Petroleum and

Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962.

It is a fact that the portion owned by the petitioner cannot be ascertained unless the entire plot is demarcated.

In view of the fact that the 2nd respondent admits the case of the petitioner and agrees to pay compensation to the petitioner in respect of the portion of the plot owned by him, the competent authority under the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962, being the 3rd respondent herein, is directed to demarcate the entire plot in question and ascertain the portion of the plot owned by the petitioner in presence of all the interested parties including the petitioner/his authorised representatives, in accordance with law.

The 2nd respondent is directed to handover the compensation amount to the competent authority in terms of the order passed by the competent authority upon demarcation of the plot, for the competent authority to pay said compensation to the petitioner.

The entire exercise should be completed within three months from the date of communication of this order.

With the above directions, WPA 13252 of 2017 is disposed of. There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh, J.)