

D/L.32.
June 25, 2024.
MNS.

WPA No. 16492 of 2022

Sri Sujay Mukherjee alias Sri Sujoy
Mukherjee

Vs.

The Union of India and others

Mr. Partha Pratim Roy,
Mr. Sarbananda Sanyal

... for the petitioner.

Syed Nurul Aarefin

...for the ECL.

Mr. Soumitra Bandyopadhyay,
Mr. Subhasis Bandyopadhyay

...for the State.

The grievance of the petitioner is directed against non-payment of compensation along with statutory interest in respect of the land belonging to the petitioner. It is submitted on behalf of the petitioner that the respondent authorities have acquired excess land which belonged to the petitioner and the petitioner is entitled to compensation for the same.

On behalf of the respondent Eastern Coalfields Limited (in short "ECL") it is submitted that the exact quantum of land acquired measuring approximately 1.45 acres in Plot No. 123 of Babuisole Mouza under P.S.- Andal and the rest of 0.53 acres have been purchased by the ECL through two registered sale deeds

executed with one Usharani Ghoshal and Sri Sujay @ Sujoy Mukherjee respectively. The respondent ECL also raises serious allegations in respect of the alleged title of the petitioner and submits that the petitioner is not the owner of the land for which the petitioner is seeking compensation. It is further submitted that quantum of 0.44 acres of land allegedly belonging to the petitioner is seriously disputed. In any event, the respondent ECL has paid the entire compensation to the Appropriate Authority in respect of the aforesaid acquisition.

I have considered the submissions made on behalf of the parties. There is a serious dispute in respect of the title of the petitioner in respect of the subject land for which the petitioner seeks compensation. The Report filed in the form of an affidavit by ECL suggests that the land has been duly acquired and purchased.

In such circumstances, there is no question of granting any relief to the petitioner.

Accordingly, WPA No. 16492 of 2022 stands dismissed by granting liberty to the petitioner to take appropriate steps in accordance with law, if so advised.

(Ravi Krishan Kapur, J.)