

29.08.2024
Court No.09
Item no.74
CP

WPA No. 17165 of 2024

Nilay Mandal
Vs.
The State of West Bengal & ors.

Mr. Rajib Kumar Acharyya

... for the Petitioner.

Mr. Sk. Md. Galib
Ms. Sujata Mukherjee

....for the State.

The petitioner is aggrieved as the Gas Authority of India Ltd. and Special Land Acquisition Officer, Land Acquisition Sector, Purba Medinipur have not considered the petitioner's grievance with regard to a demand for compensation on account of damage caused to the building.

It is submitted that the petitioner had already granted a 'no objection' for laying of the gas lines sometime in 2021. The petitioner did not raise any objection to the project. However, now the petitioner submits that on account of the execution of the work, certain damages has been sustained by his house.

This issue cannot be decided by the writ court. These are all disputed questions of fact, which are subject to proof.

Under such circumstances, the petitioner is granted liberty to approach the Senior Manager (Construction), GAIL India Limited with his

allegations and the authority can proceed in accordance with law, to ascertain whether any damage had been sustained by the house of the petitioner on account of the alleged project. If so, necessary steps may be taken. A reasoned order should be passed upon holding an inspection by a structural engineer.

The writ petition is disposed of accordingly.

There shall be no order as to costs.

Parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)