

01.10.2024
Item No. 27
(SSS)

**In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

WPA 23310 of 2024

**Ratikanta Pal and Ors.
Vs.
The State of West Bengal and Ors.**

Md. Mahmud, Adv.

.....For the Petitioners.

Mr. Rohit Das,
Ms. Kishwar Rahman,
Ms. Divya Tekriwal, Advs.

.....for the Respondent No. 4.

Mr. Chandi Charan De,

Learned Additional Government Pleader

....for the State Respondents.

Affidavit of service filed in court today is taken on record.

Md. Mahmud, learned Advocate appears for the petitioners.

Mr. Chandi Charan De, learned Additional Government Pleader appears for the Respondent Nos. 1 to 3 and 5 to 7.

Mr. Rohit Das, learned Advocate appears for the Respondent No. 4.

The petitioners claim to be the land owner submits that the land is in the process of utilization for laying down the gas pipelines for the public at large. The land

has been acquired for user and the compensation has been declared as would be evident from **Annexure P-3 at Page 23** to the writ petition. The petitioners are now aggrieved with the quantum of compensation. The petitioners have not yet collected the compensation.

Learned Counsel appearing for the Respondent No. 4 submits that there is a provision for statutory appeal under **Sub-Section (2) to Section 10 of the Petroleum and Minerals, Pipelines (Acquisition of Right of User in Land) Act, 1962** and when the petitioners are aggrieved with the quantum of compensation that is the statutory forum.

In view of the above, the petitioners shall be at liberty to prefer an appeal within a period of **8 weeks** from date before the statutory appellate authority under **Sub-Section (2) to Section 10 to the said 1962 Act**.

It is made clear that this Court has not gone into the merits of the claim of the petitioners and the petitioners shall be at liberty to take all points in the statutory appeal by relying on whatever records and documents they wish to rely upon.

In the event such statutory appeal is filed, the jurisdictional appellate authority shall decide the same and shall come to its logical conclusion after affording opportunity of hearing to the parties thereto by passing a reasoned order in accordance with law.

The statutory appellate authority shall dispose of

the appeal preferably within a period of **8 weeks** from the date of the registration of the appeal.

Since affidavits are not called for, the allegations made in this writ petition are deemed not to have been admitted by the respondents.

With the above observations and directions, this Writ Petition **(WPA 23310 of 2024)** stands disposed of, without any order as to costs.

[Aniruddha Roy, J]