

**1507
2025**

TUESDAY

Court : CB-07
Item : DL-03
Bench : SINGLE
Matter : WPA
Status : DO
ID : 266057
AR : NANDY

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

WPA 24338 OF 2022

**CHITTARANJAN BHUNIA
VS.**

INDIAN OIL CORPORATION LIMITED & ORS.

**MR. D.N. CHATTERJEE, ADVOCATE
MR. SUBHAS CHANDRA SAHA, ADVOCATE**

.....for the Petitioner

**MS. SHARMISTHA GHOSH, ADVOCATE
MR. VICTOR CHATTERJEE, ADVOCATE
MR. AMIT GHOSH, ADVOCATE**

.....for the IOCL

1. Affidavit of Service filed on behalf of the petitioner is taken on record.
2. The present writ petition has been filed praying for the issuance of a writ of mandamus to direct the concerned respondent to pay appropriate compensation to the petitioner.
3. Briefly stated, the facts leading to the institution of the present writ petition are that the petitioner is the owner of a land measuring 14 decimals. The Indian Oil Corporation (hereinafter referred to as IOCL), for laying a pipeline, acquired 6.5 decimals of the petitioner's land and awarded compensation.
4. The petitioner's grievance is that the compensation was wrongfully paid to another individual who fraudulently misrepresented himself as the son of the petitioner's younger brother. The petitioner further contends that, during the process of laying a pipeline, personnel engaged by IOCL illegally and forcibly damaged the standing crops, and the remaining land has been completely destroyed, rendering it unfit for cultivation. A representation

highlighting these issues was submitted by the petitioner to the competent authority. However, despite receipt of the representation, no effective steps have been taken. This prolonged inaction has compelled the petitioner to approach this Hon'ble Court by filing the instant writ petition.

5. The petitioner prays for a direction to be issued to the concerned respondent to pay adequate compensation to the petitioner for the loss and injury suffered due to the damage caused to the standing crops and the remaining portion of the land.
6. Mr. Victor Chatterjee, learned Advocate representing IOCL, drew my attention to the provisions of Section 10 of the Petroleum and Mineral Pipelines (Acquisition of Right of User in Land) Act, 1962, and submits that, as per the provisions of Section 10 of that Act, the petitioner's remedy lies before the learned District Judge having territorial jurisdiction over the land in question. He submits that the petitioner may initiate appropriate proceedings to ventilate his grievance before the concerned District Judge.
7. Since the statute provides an alternative efficacious remedy, I am not inclined to interfere in this writ petition.
8. However, the petitioner would be at liberty to prefer a proper application before the appropriate forum in accordance with law.
9. With these observations and order, **WPA 24338 of 2022 is disposed of.**

(PARTHA SARATHI CHATTERJEE, J.)

