



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.30871 of 2022

Srinibas Maity

....

Petitioner

*Ms. Droupadi Mohanty,
Advocate*

-versus-

***State of Odisha and
others***

....

Opp. Parties

*Mr. Gyanaloka Mohanty,
Standing Counsel*

CORAM:

THE HON'BLE MR. JUSTICE S.K. SAHOO

THE HON'BLE MR. JUSTICE S.S. MISHRA

ORDER

02.05.2025

Order No.

03. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

This writ petition has been filed by the petitioner Srinibas Maity with a direction to quash the order dated 01.10.2022 passed by the Competent Authority, GAIL (India) Limited, Bhubaneswar under Annexure-3 in holding that the petitioner has no right, title and interest over the suit land i.e. Plot No.378/491 Ac.1.00 decimal and accordingly, the representation petition filed by the petitioner was dismissed. It is further prayed in the writ petition to pay compensation to the petitioner under the Petroleum and Minerals, Pipelines (Acquisition of Right of User in Land) Act, 1962.



In arriving at the conclusion that the petitioner has no right, title and interest over the suit land, the Competent Authority has concluded as follows:-

"In view of the above facts and circumstances, it is crystal clear that Jatindranath Vidyapitha is the rightful owner of the suit plot. The title of Jatindranath Vidyapitha has never been challenged before any court of law. As such, the sale deed as well as the RoR is forceful, valid and tenable in the eye of law. Further, from field inquiry report, it is revealed that the settlement map in respect of Plot No.378/491 has been wrongly prepared by taking some area out of Plot No.378/528 which needs to be corrected. This plot should have been plotted only out of Plot No.378 Ac.1.16 dec. The payment of compensation is being made basing on valid records and documents. The petitioner is not entitled to get the compensation amount as he has not valid records and documents. The suit land has been transferred by his father since long. However, the payment of compensation in respect of the suit plot has not yet been disbursed."



Learned counsel for the petitioner submits that the sale deed, which is stated to have been executed by the father of the petitioner in favour of Jatindranath Vidyapitha is a forged sale deed and therefore, the said Jatindranath Vidyapitha is not entitled to get any compensation in respect of acquisition of the aforesaid land.

Jatindranath Vidyapitha in whose favour the order has been passed has not been arrayed as a party in this writ petition and whether the sale deed is a forged one or not, the same cannot be adjudicated in this writ petition.

At this stage, learned counsel for the petitioner seeks permission to withdraw this writ petition in order to approach the competent Civil Court for appropriate remedy.

Accordingly, the writ petition stands disposed of as withdrawn.

Urgent certified copy of this order be granted on proper application.

(S.K. Sahoo)
Judge

Signature Not Verified
Digitally Signed
Signed by: RABINDRA KUMAR MISHRA
Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 05-May-2025 13:54:50

(S.S. Mishra)
Judge