IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

Present:

The Hon'ble Justice Ananya Bandyopadhyay

W.P.A. 1476 of 2015

Tarun Kumar Pal & Anr.
-Vs-
Eastern Coalfields Ltd. & Ors.

For the Petitioners	: Mr. Bratin Kumar Dey Mr. Subhankar Banerjee
For the Respondents/ECL	: Mr. Bijoy Kumar
Judgment on	: 06.05.2026

Ananya Bandyopadhyay, J.:-

1. The writ petitioners asserted that their predecessor-in-interest, Late Padma Lochan Pal, was the recorded owner of several plots of land comprised in Mouza Madhusudanpur, namely Plot Nos. 63, 78, 44, 56, 433, 435, 436, 437, 477, 6, 17, 64, 299, 457, 485, 482, 445, 456, 476, 461, 573, 200, 273, 260, 240, 242 and 197, together with Plot No. 520 situated at Mouza Mukundapur. Upon the demise of the said Padma Lochan Pal, the petitioners claimed succession to the aforesaid landed properties as his lawful heirs and successors.
2. The petitioners contended that, owing to depillaring operations in mining undertaken by Parascole Colliery under Kajora Area of Eastern Coalfields

Limited, the cultivated lands and water bodies standing upon the said plots suffered subsidence. According to the petitioners, during the lifetime of their father, the authorities of Parascole Colliery had initiated correspondence expressing intention to purchase the affected lands. The petitioners referred to notices issued by the Agent of the Colliery requesting submission of title documents before the Survey Department for verification of ownership and further calling upon the landholders to cooperate in demolition activities over Plot Nos. 437 and 473. In the said communications, assurance was also allegedly extended that employment would be considered in accordance with the prevailing rules of Eastern Coalfields Limited governing land losers.

3. The petitioners further asserted that Late Padma Lochan Pal duly furnished all requisite documents before the competent authority. Despite such compliance, the matter allegedly remained unattended and no conclusive response was communicated by the respondent authorities during his lifetime.

4. It was specifically pleaded that, on 16.12.2010, the petitioners submitted a representation before the Chief General Manager, Kajora Area, Eastern Coalfields Limited, seeking immediate acquisition of the affected lands and consequential employment under the Land Losers' Scheme. The petitioners stated that the total land measured in excess of four acres and, under the applicable policy of the company, one employment was contemplated against every two acres of acquired land. On such basis, they claimed entitlement to two employment opportunities.

5. The petitioners stated that, in the absence of any meaningful response from the company, the Colliery Mazdoor Congress Union addressed a communication to the General Manager (L.R.E.), Eastern Coalfields Limited Headquarters, requesting intervention for proper enquiry into the matter and expeditious purchase of the lands.
6. According to the petitioners, the General Manager (L.R.E.), Eastern Coalfields Limited, by letter dated 18.06.2012, sought information from the General Manager, Kajora Area regarding the status of the proposed land purchase concerning Sri Barun Chandra Pal and Tarun Kumar Pal. Thereafter, by communication dated 25.06.2012, the Additional General Manager, Kajora Area requested the Agent, Parascole Colliery to furnish particulars concerning the proposed acquisition so that appropriate action could be undertaken at the earliest.
7. The petitioners further averred that, pursuant to requests made by the authorities, they again submitted Xerox copies of the R.S. Parcha and registered deeds by letter dated 27.09.2012 with a renewed request for acquisition of the lands and extension of employment benefits.
8. A central plank of the petitioners' case was that all adjoining and surrounding lands within Mouza Madhusudanpur had already been acquired by the company as subsidence-affected areas, whereas the petitioners' lands alone remained excluded despite being situated in the midst of the acquired zone. The petitioners alleged that similarly situated land losers had already received employment under the company's scheme, yet their claim remained unresolved without discernible justification.

9. Being dissatisfied with the prolonged administrative inaction, the petitioners earlier approached this Hon'ble Court by filing W.P. No. 20082(W) of 2013. The said writ petition was disposed of on 23.07.2014 with a direction upon the General Manager, Eastern Coalfields Limited, Kajora Area, to consider and dispose of the petitioners' representation dated 27.09.2012 by passing a reasoned order within eight weeks after granting an opportunity of hearing and after conducting necessary verification and enquiry.
10. The petitioners stated that, pursuant to the aforesaid judicial direction, a notice dated 23.10.2014 was issued calling upon them to appear for hearing on 03.11.2014 at 11:00 A.M. before the office of the Additional General Manager, Kajora Area, Eastern Coalfields Limited. The petitioners claimed that they duly participated in the hearing and produced relevant records in support of their claim.
11. The grievance of the petitioners thereafter crystallised around the order dated 20.11.2014 passed by the General Manager, Kajora Area, whereby the claim for acquisition of the lands and grant of employment under the Land Losers' Scheme was declined. The petitioners contended that, although the impugned order referred to an Enquiry Committee Report, no copy of such report was furnished to them despite the same allegedly being relied upon by the authority while rendering the decision.
12. The petitioners challenged the legality of the said order on the ground that the directions contained in the earlier order of this Hon'ble Court dated 23.07.2014 had not been faithfully implemented. According to them, the impugned decision did not disclose any meaningful verification of records

nor any independent enquiry as directed by the Court. The petitioners asserted that the decision-making process lacked transparency and failed to reflect due consideration of the materials already placed before the authorities.

13. The petitioners further maintained that the respondent company had effectively acknowledged extraction of coal from beneath their lands, albeit through methods distinct from direct acquisition, and despite such utilisation of the land, the acquisition proceedings were indefinitely deferred. Such conduct, according to the petitioners, betrayed institutional unfairness and selective administrative treatment.

14. It was also urged that, though the order dated 20.11.2014 referred to constitution of an Enquiry Committee and conduct of enquiry, the petitioners were never informed regarding the scope, composition or proceedings of such enquiry. They asserted that the enquiry had been conducted entirely beyond their participation and that denial of access to the report constituted a substantial procedural infirmity.

15. The petitioners further questioned the reliance placed by the respondents upon directions issued by the Director of Mine Safety, Region-I dated 20.10.2002. According to the petitioners, the said directions merely regulated the modalities of coal extraction and nowhere prohibited acquisition of the petitioners' lands. They alleged that the respondent authorities had misconstrued the said directives in order to reject an otherwise legitimate claim.

16. The petitioners repeatedly emphasised that the entirety of the surrounding lands had already been acquired by the company as subsidence-affected properties and that employment had been extended to other similarly situated land losers. The exclusion of the petitioners alone, according to them, constituted differential treatment offending the constitutional guarantees embodied under Articles 14 and 16 of the Constitution of India.
17. The petitioners additionally stated that the respondent authorities had, during the lifetime of their father, initiated the process for acquisition and had accepted relevant title documents for such purpose. Despite commencement of the process, the matter was allegedly left inconclusive for years together, thereby placing the petitioners in a position of prolonged uncertainty.
18. The petitioners also alleged that the lands in question had become incapable of beneficial use owing to subsidence caused by mining operations and that they were effectively deprived of meaningful enjoyment of the property while simultaneously being denied the compensatory benefits made available to others similarly circumstanced.
19. Lastly, the petitioners alleged that the matter had been deliberately withheld at the level of the local survey administration and that the concerned surveyor, one Mr. Kedar, had, due to personal hostility, obstructed movement of the file. On such allegations, the petitioners sought an appropriate enquiry into the administrative handling of their claim. Learned Advocate appearing on behalf of the petitioners assailed the impugned order dated 20.11.2014 as an instance of administrative arbitrariness clothed in

the form of a quasi-judicial determination. It was contended that the respondent authorities, being instrumentalities of the State within the meaning of Article 12 of the Constitution, were under an obligation to act with procedural fidelity, institutional fairness and legal objectivity. According to the petitioners, the decision-making process adopted by the respondents bore the imprint of opacity rather than adjudicatory discipline.

20. The Learned Advocate submitted that the impugned order had been passed in manifest departure from the earlier direction of this Hon'ble Court rendered on 23.07.2014 in W.P. No. 20082(W) of 2013. By the said order, the respondent authorities had been specifically directed to examine the records, conduct necessary enquiry and thereafter pass a reasoned determination. It was argued that the impugned order neither reflected meaningful verification of documents nor disclosed any analytical consideration of the materials placed by the petitioners. The order, according to the petitioners, was therefore rendered vulnerable on the touchstone of administrative fairness and judicial accountability.

21. The petitioners further contended that the impugned order itself substantially acknowledged that coal extraction activities had already been undertaken in respect of the lands belonging to the petitioners, albeit through altered methods of mining operation. Yet, despite availing the benefit of the land and subjecting the area to mining-induced subsidence, the respondents indefinitely deferred acquisition of the property and denied consequential employment benefits. Such conduct, it was argued, betrayed

selective administrative treatment and reflected an abuse of statutory discretion.

22. A serious challenge was also mounted regarding the alleged Enquiry Committee report referred to in the impugned order dated 20.11.2014. Learned Counsel argued that although reliance had been placed upon such report, neither the petitioners nor even this Hon'ble Court had been furnished with a copy thereof. It was submitted that the entire enquiry process appeared to have been conducted beyond the participation and knowledge of the petitioners. The denial of access to the report, despite its apparent reliance in the decision-making process, was urged to be a substantial infraction of the principles of natural justice.

23. The petitioners further questioned the interpretation accorded by the respondents to the directives issued by the Director of Mine Safety, Region-I dated 20.10.2002. Learned Counsel submitted that the said directives merely regulated the methodology of underground extraction operations and recommended transition from cave-in methods to hydraulic sand stowing techniques in order to preserve surface stability. It was emphatically argued that nowhere did the said directives prohibit acquisition of the petitioners' lands. According to the petitioners, the respondent authorities deliberately misconstrued the said communications to frustrate a claim otherwise supported by earlier representations and company policy.

24. The Learned Advocate highlighted that the lands situated around and adjoining the petitioners' plots within Madhusudanpur Mouza had already been acquired by Eastern Coalfields Limited as subsidence-affected lands

and employment had been extended to other land losers under the applicable scheme. The exclusion of the petitioners alone, despite their lands being centrally situated amidst acquired areas, was contended to be discriminatory and incompatible with the constitutional guarantees under Articles 14 and 16 of the Constitution of India.

25. It was further submitted that during the lifetime of Late Padma Lochan Pal, the authorities of Parascole Colliery had issued communications dated 27.05.1996 expressing their intention to purchase the lands in question and had called upon him to furnish title documents before the Survey Department. The said communications also contained representations that employment would be provided under the rules of Eastern Coalfields Limited in respect of lands acquired by the company. Learned Counsel argued that Late Padma Lochan Pal had altered his position acting upon such assurances and duly submitted all requisite documents as demanded by the respondents.

26. The petitioners contended that despite compliance with all procedural requirements, the respondent authorities maintained prolonged silence and compelled the petitioners to pursue repeated representations before various administrative forums. Such inaction ultimately constrained the petitioners to approach this Hon'ble Court by filing W.P. No. 20082(W) of 2013, which culminated in the order dated 23.07.2014 directing reconsideration of the claim.

27. Learned Counsel submitted that, although a hearing was eventually granted pursuant to the said judicial direction, the impugned order dated

20.11.2014 proceeded upon vague and indeterminate grounds incapable of sustaining an administrative conclusion affecting civil rights. It was argued that the order failed to engage with the core issues raised by the petitioners, including the assurances contained in the letters of 1996, the subsidence of the lands, the acquisition of surrounding properties and the employment extended to similarly situated land losers.

28. The petitioners also criticized the stand adopted by the respondents in their Affidavit-in-Opposition regarding the alleged "Action Programme" under which mining activities were purportedly not contemplated in the relevant plots for the ensuing five years. Learned Counsel argued that such assertion was unsupported by any cogent material and no explanation was forthcoming as to how the said programme extinguished the earlier representations or defeated the petitioners' accrued rights and expectations.

29. A further grievance was articulated regarding the contradictory stand of the respondents concerning acquisition of surrounding lands. While the respondents denied that all adjacent plots had been acquired, Learned Counsel submitted that no documentary foundation had been laid in support of such denial. Rather, according to the petitioners, the lands in question were situated amidst properties already acquired by Eastern Coalfields Limited, thereby rendering the petitioners' lands commercially sterile and incapable of beneficial use.

30. The Learned Advocate placed considerable emphasis upon the doctrines of legitimate expectation and promissory estoppel. It was argued that the letters dated 27.05.1996 issued by the respondent authorities constituted

clear and unequivocal representations intended to induce reliance. Acting upon such representations, Late Padma Lochan Pal submitted all ownership documents and refrained from dealing with the property otherwise. The respondents, being public authorities, could not subsequently retreat from their declared position after inducing such reliance over an extended period of time.

31. The petitioners contended that the inordinate delay in processing the matter was entirely attributable to the respondent authorities and not to the petitioners. The prolonged administrative silence, followed by a cryptic rejection unsupported by transparent reasoning, was described as a colourable exercise of power inconsistent with constitutional standards of fairness.

32. Learned Counsel further submitted that Article 14 strikes not merely at overt discrimination but equally at arbitrariness embedded within executive conduct. According to the petitioners, the respondents acted arbitrarily at every stage by first inducing the landowner to part with documents and cooperate with acquisition proceedings, thereafter remaining inactive for years together, and ultimately rejecting the claim without furnishing the enquiry report or addressing the substantive grievances raised by the petitioners.

33. The petitioners finally contended that the impugned order failed the essential requirement of a reasoned administrative determination. A reasoned order, it was submitted, constitutes the foundation of accountable governance since it discloses the intellectual process underlying the conclusion reached. The

absence of cogent reasoning, coupled with non-disclosure of materials relied upon, rendered the impugned order legally unsustainable and amenable to interference under Article 226 of the Constitution of India.

34. Learned Advocate appearing on behalf of the respondent authorities opposed the writ petition by contending that the claim advanced by the petitioners for employment under the Land Loser Scheme of Eastern Coalfields Limited was devoid of legal enforceability in the facts of the present case. It was submitted that the petitioners sought to elevate a contingent administrative consideration into an indefeasible right, although no acquisition of the subject lands had ever culminated in accordance with law.

35. The respondents first drew attention to the earlier proceeding being W.P. No. 20082(W) of 2013 instituted by Tarun Kumar Pal and others against Eastern Coalfields Limited and its authorities. Learned Counsel submitted that pursuant to the order passed therein by the Hon'ble Justice Soumitra Pal, the General Manager, Kajora Area, was directed to consider and dispose of the representation dated 27.09.2012. According to the respondents, such judicial direction stood duly complied with when the General Manager, after granting hearing to the parties, passed the reasoned order dated 20.11.2014.

36. The Learned Advocate placed substantial reliance upon the findings recorded in the order dated 20.11.2014. Referring to the prevailing "Action Programme" of the company, it was submitted that no mining operation was contemplated beneath the petitioners' plots for the ensuing period of five years. The respondents asserted that, in absence of any proposed mining activity during the operational period under consideration, the management

of Parascole Colliery had no intention to acquire or purchase Plot Nos. 63, 78, 44, 56, 433, 435, 436, 437, 477, 6, 17, 64, 299, 457, 485, 482, 445, 456, 476, 461, 473, 200, 273, 260, 240, 242 and 197 situated at Madhusudanpur Mouza, together with Plot No. 520 of Mukundapur Mouza standing in the names of the petitioners.

37. It was further contended that the company's inability to foresee future mining requirements beyond the immediate five-year operational programme could not compel acquisition of lands in anticipation of uncertain contingencies. Learned Counsel submitted that the impugned order itself clarified that if at any future point mining activities were proposed beneath the said plots, no extraction operation would commence without prior acquisition or purchase of the lands in accordance with law. Consequently, according to the respondents, the petitioners' demand for immediate acquisition and consequential employment lacked present legal foundation.

38. The respondents also challenged the maintainability of the writ petition on the ground that disputed questions of fact were deeply embedded in the controversy. Learned Counsel argued that issues relating to title, possession, extent of subsidence, and alleged damage to land could not appropriately be adjudicated within the limited ambit of writ jurisdiction under Article 226 of the Constitution. It was submitted that such factual disputes necessitated evidentiary examination and therefore properly belonged within the domain of the competent Civil Court.

39. Learned Counsel further argued that the petitioners sought, in substance, a mandatory direction compelling Eastern Coalfields Limited to purchase

private lands irrespective of commercial or operational viability. According to the respondents, no such direction could be issued by a writ court when the management had consciously determined that mining operations beneath the lands were not economically or technically viable within the present operational framework.

40. The respondents also sought to explain the historical background of the company's decision-making process. Learned Counsel submitted that although at an earlier stage the management had shown inclination toward acquisition of the lands, the operational methodology subsequently underwent substantial transformation pursuant to the communication issued by the Director of Mines Safety, Sitarampur Region-I vide Memo No. S1/010853/Perm/2002/240 dated 29.10.2002. It was contended that the earlier cave-in method of extraction had thereafter been replaced by hydraulic sand stowing techniques designed to preserve surface stability and maintain the integrity of the overlying lands.

41. According to the respondents, the revised mining methodology substantially altered the necessity for acquisition of surface lands, particularly when underground operations themselves had become commercially unviable and financially burdensome. Learned Counsel submitted that the company had suffered losses in underground mining activities and consequently operational priorities shifted toward opencast projects, which were regarded as more economically sustainable within the contemporary industrial framework.

42. The Learned Advocate emphatically denied that the respondent company retained any subsisting intention to purchase the petitioners' lands. It was argued that mere issuance of communications in the past or preliminary consideration of acquisition could not create an enforceable obligation compelling the company to proceed with acquisition indefinitely irrespective of changing technical and economic realities.

43. The respondents also disputed the petitioners' allegations regarding subsidence and consequential deprivation of beneficial enjoyment of the lands. Learned Counsel submitted that even assuming the petitioners' allegations regarding damage or subsidence were accepted arguendo, such grievances could not furnish a ground for issuance of writ directions compelling acquisition. The petitioners, according to the respondents, were at liberty to pursue appropriate civil remedies before the competent forum if they claimed compensation or restoration of possession.

44. Reliance was also placed upon a decision rendered by the Hon'ble Justice Bibek Chaudhuri in W.P.A. No. 16977 of 2013 *(Firdosi Begum vs. Union of India & Others)*, wherein this Hon'ble Court had declined to exercise writ jurisdiction in matters involving recovery of possession and disputed property claims, holding that the Civil Court constituted the appropriate adjudicatory forum. Learned Counsel submitted that the ratio emerging from the said decision squarely supported dismissal of the present writ petition.

45. The respondents finally contended that the petitioners had failed to establish either an accrued legal right or a corresponding statutory duty enforceable against Eastern Coalfields Limited. In absence of acquisition of the lands, no

right to employment under the Land Loser Scheme could arise. The respondents therefore urged that the writ petition, founded upon speculative apprehensions and disputed factual assertions, deserved dismissal *in limine*. The writ petition, at its core, arises out of a prolonged grievance nurtured by the petitioners regarding the non-acquisition of certain plots of land situated at Madhusudanpur Mouza and Mukundapur Mouza and the consequential denial of employment under the Land Losers' Scheme of Eastern Coalfields Limited. The factual foundation of the writ petition traces its origin to the case of the petitioners that their late father, Late Padma Lochan Pal, was the recorded owner of several plots of land including Plot Nos. 63, 78, 44, 56, 433, 435, 436, 437, 477, 6, 17, 64, 299, 457, 485, 482, 445, 456, 476, 461, 573, 200, 273, 260, 240, 242 and 197 within Madhusudanpur Mouza together with Plot No. 520 situated at Mukundapur Mouza. According to the petitioners, during the subsistence of mining operations undertaken by Parascole Colliery under Kajora Area, the said lands suffered subsidence and the respondent authorities, by communications issued in the year 1996, expressed their intention to purchase the lands and further indicated that employment would be extended in accordance with the prevailing scheme of Eastern Coalfields Limited.

46. The petitioners asserted that acting upon such representations, their late father furnished all requisite title documents before the Survey Department of the company and co-operated with the administrative process initiated by the respondents. Yet, despite such compliance, the matter remained dormant for years together. The petitioners repeatedly approached the

authorities by filing representations, including representation dated 16.12.2010, asserting that since more than four acres of land were involved, the petitioners were entitled to employment benefits under the applicable policy framework. Subsequent communications exchanged between the General Manager (L.R.E.), Kajora Area and the concerned colliery authorities were also relied upon by the petitioners to contend that the proposal regarding purchase of land had not been abandoned.

47. The petitioners further contended that the surrounding lands within the same mouza had already been acquired by Eastern Coalfields Limited as subsidence-affected areas and employment had been granted to other similarly situated land losers. According to the petitioners, exclusion of their lands alone from acquisition and denial of employment constituted hostile discrimination and amounted to an arbitrary exercise of executive power violative of Articles 14 and 16 of the Constitution of India. The petitioners also alleged that despite this Court's earlier order dated 23.07.2014 passed in W.P. No. 20082(W) of 2013 directing the respondent authorities to consider the representation and pass a reasoned order after enquiry and verification of records, the impugned order dated 20.11.2014 failed to reflect any meaningful enquiry and was founded upon undisclosed materials including an Enquiry Committee report never supplied to the petitioners.

48. The Learned Advocate appearing on behalf of the petitioners thus argued that the impugned order suffered from procedural infirmity, non-application of mind and violation of the principles of natural justice. It was urged that the respondents, having once induced the petitioners' predecessor-in-

interest to act upon official representations regarding purchase of land and employment, were estopped from resiling from such assurances. The doctrines of legitimate expectation and promissory estoppel were invoked to contend that the conduct of the respondents had created an enforceable expectation which could not be defeated through administrative silence and belated rejection. The petitioners further contended that the respondents deliberately misconstrued the directives issued by the Director of Mines Safety concerning alteration of mining methodology in order to frustrate an otherwise legitimate claim.

49. Per contra, Learned Advocate appearing for the respondent authorities opposed the writ petition by contending that the petitioners had no enforceable legal right either to compel acquisition of the lands or to claim employment under the Land Losers' Scheme in absence of actual acquisition. It was argued that the earlier writ petition instituted by the petitioners culminated in a direction merely requiring consideration of their representation, which direction stood complied with upon passing of the order dated 20.11.2014 after affording hearing to the parties.

50. The respondents placed reliance upon the "Action Programme" prevailing at the relevant point of time and submitted that no mining operation was contemplated beneath the petitioners' lands for the ensuing five years. Consequently, the management of Parascole Colliery had consciously determined that acquisition of the lands was neither operationally necessary nor economically viable. The respondents further submitted that after the communication issued by the Director of Mines Safety dated 29.10.2002, the

methodology of extraction was altered from cave-in mining to hydraulic sand stowing techniques with the object of preserving surface stability. The company, having suffered substantial losses in underground mining operations, had thereafter shifted preference toward opencast mining projects.

51. The respondents emphatically contended that mere preliminary correspondence or expression of interest in purchase of land could not crystallise into a binding legal obligation compelling acquisition. It was argued that the controversy raised by the petitioners involved disputed questions relating to title, possession, subsidence and alleged damage to land which could not appropriately be adjudicated within the narrow confines of writ jurisdiction under Article 226 of the Constitution. According to the respondents, if the petitioners claimed compensation for damage to property or sought adjudication regarding civil consequences arising from non-acquisition, the proper forum would be the competent Civil Court and not a constitutional writ court.

52. Having bestowed anxious consideration upon the rival submissions advanced on behalf of the parties and upon careful scrutiny of the materials placed before this Court, it appears that the foundational grievance of the petitioners essentially proceeds upon an expectation that the respondents ought to have acquired the lands in question pursuant to earlier administrative communications and thereafter extended employment benefits under the Land Losers' Scheme. The entire edifice of the petitioners'

case rests upon the proposition that the preliminary representations and administrative exchanges matured into an enforceable public obligation.

53. This Court is unable to persuade itself to accept such proposition within the contours of writ jurisdiction.

54. The communications relied upon by the petitioners unmistakably indicate, at the highest, an administrative inclination or preliminary intention to examine the feasibility of acquisition. Such communications did not culminate into any concluded contract, statutory acquisition proceeding, executed agreement or vested legal entitlement capable of enforcement under Article 226 of the Constitution of India. The expectation of the petitioners, however emotionally compelling, remained in the realm of anticipated future action dependent upon operational necessity, technical viability and administrative approval. The process never ripened into a crystallised legal relationship imposing a mandatory duty upon the respondents to compulsorily purchase the lands.

55. A writ court exercising jurisdiction under Article 226 does not sit as an authority to specifically enforce incomplete commercial understandings, tentative administrative assurances or inchoate contractual expectations. Judicial review is principally concerned with the legality of the decision-making process and not with substitution of administrative wisdom by judicial preference. The Court cannot compel a public sector undertaking to purchase land merely because at some anterior stage preliminary correspondence indicated possible interest in acquisition. Whether particular lands are required for mining purposes, whether acquisition is economically

sustainable, whether mining operations are operationally viable and whether a project should continue under altered extraction methodology are matters residing predominantly within the domain of specialised administrative and technical discretion.

56. The argument founded upon promissory estoppel and legitimate expectation also does not carry the petitioners' case beyond the threshold of legal enforceability. For invocation of such doctrines, the representation must possess unequivocal certainty capable of creating a definitive legal relationship. In the present case, the materials on record do not disclose any concluded promise guaranteeing acquisition irrespective of future operational contingencies. The respondents consistently maintained that mining activities were neither immediately contemplated nor operationally feasible beneath the concerned plots under the prevailing Action Programme. In absence of actual acquisition of land, no enforceable right to employment under the Land Losers' Scheme could accrue in favour of the petitioners.

57. Equally significant is the nature of the controversy itself. The petitioners have raised allegations concerning subsidence, unusability of land, discriminatory exclusion from acquisition and consequential civil injury. Such questions inevitably require evidentiary examination regarding extent of damage, nature of mining impact, comparative acquisition records and factual determination of civil consequences. These are matters ill-suited for adjudication within summary writ proceedings. The constitutional jurisdiction under Article 226 cannot be converted into a surrogate civil trial for adjudication of disputed proprietary and compensatory claims.

58. The grievance of the petitioners regarding non-supply of the Enquiry Committee report and alleged inadequacy of reasons in the impugned order has also been considered. However, even assuming certain procedural imperfections existed in the administrative exercise, such infirmities by themselves cannot empower this Court to issue a mandamus compelling acquisition of private land by a public authority when no statutory obligation to acquire has been demonstrated. Judicial review cannot transmute an incomplete administrative proposal into a binding acquisition mandate.

59. This Court is also conscious that Article 14 strikes against arbitrariness in State action. Yet, arbitrariness cannot be inferred merely because acquisition was not ultimately undertaken. Administrative priorities in industrial and mining operations are not immutable. Technical modifications in extraction methodology, shifting economic realities and changing operational assessments are legitimate considerations within the province of the management. Unless the decision is demonstrated to be patently mala fide, shockingly irrational or actuated by demonstrable hostile discrimination, the writ court ought not to trench upon areas reserved for executive and technical assessment.

60. The petitioners may indeed have remedies available in accordance with law if they claim compensation for subsidence, damage to land or other civil consequences allegedly arising from mining operations. However, those claims must necessarily be pursued before the appropriate forum competent to receive evidence and adjudicate disputed questions of fact.

61. For the reasons aforesaid, this Court finds no ground warranting interference with the impugned order dated 20.11.2014 in exercise of writ jurisdiction under Article 226 of the Constitution of India.

62. In view of the above discussions, the instant writ petition being WPA 1476 of 2015 is dismissed.

63. There is no order as to costs.

64. Photostat certified copy of this order, if applied for, be given to the parties on priority basis on compliance of all formalities.

(Ananya Bandyopadhyay, J.)