

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4630 of 2019

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Anil Kumar Singh Son of Late Shivdas ingh Resident of Village- Patarhi,
P.S.-Sheosagar, District-Rohtas

... .. Petitioner

Versus

1. The Union of India through the Secretary, Ministry of Oil and Natural Gas, New Delhi
2. The Gail India Limited through its Senior Manager having its Officer at L. Bhawan, 16 Bhikhari Coma Place New Delhi
3. The Gail India Limited J.H.P.L. Construction Office, Hotel Patliputra Ashok Complex Birchand Patel Patna-1 through its Manager of Construction Officer
4. The State of Bihar through the Principal Secetary Department of Revenue and Land Reforms Patna, Bihar

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar Tiwary
For the Respondent/s	:	Mr.Raj Kishore Roy (Gp18)
For the GAIL	:	Mr. Uday Bhan Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 08-03-2019 The petitioner had a grievance that his crops grown in his agricultural fields have been damaged in course of laying the gas pipeline by the respondent Gas Authority of India Limited (GAIL) and no compensation for such loss is being provided to him despite the statutory requirement under Section 10 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962.

Mr. Sanjay Kumar Tiwary, learned Counsel appearing on behalf of the petitioner, has submitted that claiming compensation on account of damage so caused, the petitioner



did approach the competent authority, however, the competent authority so far has not determined the petitioner's claim.

Mr. Uday Bhan Singh, learned counsel appearing on behalf of GAIL on the other hand has submitted that the petitioner has not produced adequate documents in support of his title in respect of the said land.

Be that as it may, once the petitioner approached the competent authority for payment of compensation under statutory provision, as indicated above, the competent authority had an obligation to determine his case this way or that way. The petitioner cannot be allowed to wait for any indefinite period.

In such view of the matter, this application is disposed of with a direction to the competent authority to take a final decision on the claim of the petitioner within six months from the date of receipt/production of a copy of this order, if till date no such decision has been taken. The petitioner shall be at liberty to file supplementary documents before the competent authority for disposing his claim of title and/or possession over the land in question.

(Chakradhari Sharan Singh, J)

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