

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4325 of 2019

1. Satyajeet Kumar Singh @ Satyjeet Kumar Singh S/o Kaushlendra Pratap Narayan Singh Resident of Village-Poiwan, P.S.Aurangabad Muffasil, Dist.-Aurangabad
2. Annu Singh W/o Satyajeet Kumar Singh @ Satyjeet Kumar Singh Resident of Village-Poiwan, P.S.Aurangabad Muffasil, Dist.-Aurangabad

... .. Petitioners

Versus

1. The State of Bihar through its Chief Secretary, Govt. of Bihar, Patna
2. The Principal Secretary, Department of Revenue and Land Reforms, Govt. of Bihar, Patna
3. The Chairman-cum-Managing Director, Gas Authority-cum-Managing Director, Gas Authority of India Ltd., GAIL Bhawan-16, Bhikajee Kama Place, R.K. Puram, New Delhi-110066
4. The General Manager, Gas Authority of India Limited, Aurangabad, Hotel Saraswati Inn, Old G.T. Road, P.S. Aurangabad Town, Dist.-Aurangabad
5. The Competent Officer/Authority, GAIL (India) Ltd. Aurangabad, Saraswati-Inn Hotel, Aurangabad, Bihar
6. The Circle Officer, Aurangabad Block, Dist.-Aurangabad, Bihar
7. The Circle Inspector, Block Aurangabad, Dist.-Aurangabad
8. The Revenue /Halka Kramchari, Block Aurangabad, Dist.-Aurangabad, Bihar

... .. Respondents

Appearance :

For the Petitioners	:	Mr. Yogesh Chandra Verma, Senior Advocate Mr. Ravi Shankar Singh, Advocate Mr. Om Prakash, Advocate Ms. Priyanka Singh, Advocate
For the Respondent State:		Mr. Rishi Raj Sinha, SC-19 Mr. Birendra Pd. Singh, AC to SC-19
For the Respondent Nos. 3,4&5:		Mr. Uday Bhan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 07-03-2019 The petitioners have a grievance that their crops grown in their 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 them despite the statutory requirement under Section 10 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962.

Mr. Yogesh Chandra Verma, learned Senior Counsel appearing on behalf of the petitioners, has submitted that claiming compensation on account of damage so caused, the petitioners did approach the Circle Officer of the concerned Circle Office, who has forwarded their claims to the competent authority within the meaning of Section 2(a) of the Act twice, i.e., on 08.01.2018 and 17.09.2018. The competent authority has, however, so far not determined the petitioners claim.

Mr. Uday Bhan Singh, learned counsel appearing on behalf of GAIL on the other hand has submitted that the petitioners have not produced any document in support of their title in respect of the said land.

Be that as it may, once the petitioners approached the competent authority for payment of compensation under statutory provision, as indicated above, the competent authority had an obligation to determine their case this way or that way. The petitioners 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 (respondent No.5) to take a final decision on the claim of the petitioners 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 petitioners shall be at liberty to file supplementary documents before the competent authority for disposing their claim of title and/or possession over the land in question.

(Chakradhari Sharan Singh, J)

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