

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12259 of 2019

1. Diwakar Mishra @ Divakar Mishra Son of Bhagwanji Mishra Residence of Village- Phulki, P.O.- Phulki, Police Station- Phulki, District- Saran.
2. Chinta Devi Wife of Janeshwer Singh Residence of Village- Phakuli, P.O.- Phakuli, Police Station- Phakuli, District- Saran.
3. Bipin Bihari Singh Son of Udayashankar Singh Residence of Village- Phakuli, P.O.- Phakuli, Police Station- Phakuli, District- Saran.
4. Yashoda Devi Wife of Dinanath Singh Residence of Village- Phakuli, P.O.- Phakuli, Police Station- District- Saran.
5. Raj Kumar Mishra Son of Kuber Nath Mishra Residence of Village- Phakuli, P.O.- Phakuli, Police Station- District- Saran.
6. Mritunjay Mishra Residence of Village- Phakuli, P.O.- Phakuli, Police Station- District- Saran.
7. Banshidhar Mishra Son of Prabesh Mishra Residence of Village- Phakuli, P.O.- Phakuli, Police Station- District- Saran.
8. Awadesh Kumar Singh Son of Hayder Singh Residence of Village- Phakuli, P.O.- Phakuli, Police Station- District- Saran.
9. Pankaj Kumar Singh Son of Late Kamla Prasad Singh Residence of Village- Phakuli, P.O.- Phakuli, Police Station- District- Saran.
10. Dinanath Nath Singh Son of Late Sankar Dyal Singh Residence of Village- Phakuli, P.O.- Phakuli, Police Station- District- Saran.

... .. Petitioners

Versus

1. The Union of India through Director, Ministry of Petroleum and Natural Gas, New Delhi.
2. The General Manager Pipeline Division, Indian Oil Corporation Limited.
3. The Deputy General Manager, Pipeline Division, Indian Oil Corporation Limited.
4. The Project Manager, Patna Motihari, Baitalpur Pipeline Division, Indian Oil Corporation Limited.
5. The Site in Charge, Patna, Motihari, Batalpur Pipeline Division, Indian Oil Corporation Limited.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr.Shashi Bhushan Singh
For the Respondent/s	:	Mr.S.D.Sanjay (Adsg)
For Respondent Nos. 2-5:	:	Mr. Uday Bhan Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH



ORAL ORDER

2 12-07-2019 This writ application has been filed seeking direction to the authorities not to lay gas pipeline under the petitioners' land for implementing a project to be carried out by the Indian Oil Corporation. The petitioners have given the description of lands in the writ application.

In my opinion, this application is premature inasmuch as there is no specific averment that the lands of these petitioners are being used for laying the gas pipeline. There is a procedure prescribed for acquisition of land for the said purpose under the Petroleum and Minerals Pipelines (Acquisition and Right of User in Land) Act, 1962. It goes without saying that if any acquisition of land is made for the purpose as asserted in the writ petition, the statutory provisions will have to be adhered to.

This writ application stands disposed of accordingly.

(Chakradhari Sharan Singh, J)

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