

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4643 of 2021

1. Atikur Rahman @ Md. Atik Son of Md. Wasi Resident of Village- Bakhari Bujurg, P.S.- Musrighrari, District- Samastipur.
2. Md. Anwar Hussain Son of Late Md. Usman Resident of Village- Bakhari Bujurg, P.S.- Musrighrari, District- Samastipur.
3. Md. Yasin Son of Late Md. Taha Resident of Village- Bakhari Bujurg, P.S.- Musrighrari, District- Samastipur.
4. Md. Nasim Son of Late Ali Hasan Resident of Village- Uda Bathua, P.S.- Musrighrari, District- Samastipur.
5. Zahid Ahmad Son of Abdul Qadir Khadim Resident of Village- Bakhari Bujurg, P.S.- Musrighrari, District- Samastipur.
6. Md. Masoom Raja Son of Late Abdul Qaiyoom Resident of Village- Bakhari Bujurg, P.S.- Musrighrari, District- Samastipur.
7. Md. Phulo Son of Md. Taslim Resident of Village- Bakhari Bujurg, P.S.- Musrighrari, District- Samastipur.
8. Md. Sajjad Son of Md. Yunus Resident of Village- Sugapakar, P.S.- Musrighrari, District- Samastipur.
9. Md. Mokim Son of Md. Rahmul Resident of Village- Bakhari Bujurg, P.S.- Musrighrari, District- Samastipur.
10. Md. Aslam Son of Abu Zafar Resident of Village- Bakhari Bujurg, P.S.- Musrighrari, District- Samastipur.
11. Ahmad Ali Akhtar Son of Md. Tajuddin Resident of Ward No. 3, Dharmpur, P.S.- Samastipur, District- Samastipur.
12. Sunil Prasad @ Sunil Sah Son of Baleshwar Prasad Resident of Village- Bakhari Bujurg, P.S.- Musrighrari, District- Samastipur.

... .. Petitioner/s

Versus

1. The Union of India Through the Secretary, Ministry of Petroleum and Natural Gas, Government of India, New Delhi.
2. The District Magistrate-cum- Collector Samastipur.
3. The Chief General Manager Indian Oil Corporation Ltd., Indian Oil Bhavan, Sri Aurobindo Marg, Yusuf Sari, New Delhi 110016.
4. The General Manager Indian Oil Corporation Ltd., Indian Oil Bhavan, Sri Aurobindo Marg, Yusuf Sari, New Delhi 110016.
5. The General Manager (Operations) G-9, Ali Yavar Jung Marg, Bandra (East), Mumbai, Maharashtra.
6. The Additional District Magistrate Samastipur.
7. The Circle Officer Sarai Ranjan, Samastipur.
8. The Block Development Officer Sari Ranjan, Samastipur.
9. The Area Manager (Construction) Pipelines Division, Akharaghat Road,



Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Zeyaul Hoda, Adv.
For the I.O.C.L. : Mr. Uday Bhan Singh, Adv.

**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 21-04-2022 Heard the parties.

The case is being taken up from defect side.

Learned counsel for the petitioners is directed to submit the original petition along with attested affidavits and also remove all the defects pointed out by the Registry within two weeks from today.

Learned counsel appearing for the I.O.C.L. has invited attention of this Court to the notification published in the Gazette dated 26.04.2018, whereby it was informed about his intention to acquire the land for the purpose of laying down the pipeline.

The notification has been placed by the petitioners on record, which shows that the petitioners had full knowledge about the Gazette notification, wherein the land mentioning their survey number and the area are all notified of the various villages.

Admittedly, again such acquisition objections could be taken up in terms of Section 5 of the



Petroleum and Minerals Pipelines Act, 1962 within 21 days of such notification.

Apparently the petitioners have neither taken up any objections nor they have claim their rights in terms of the said acquisition notification. It would be too late in the day after the pipeline has already be positioned that the petitioners should be allowed to now filed their objections relating to the acquisition.

However, the petitioners would be free to take up their claim relating to the compensation allowing the petitioners to claim their respective compensation before the competent authority under the Act, of 1962, if any, the writ petition is praying for cancel the acquisition is found to be mis-conceived and accordingly dismissed.

(Sanjeev Prakash Sharma, J)

pravinkumar/-

U			
---	--	--	--

