

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20777 of 2019

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Dhurb Narayan Singh @ Dhurb Narayan Mandal S/o Late Parasnath Mandal
Resident of Village- Nirpur, P.S.- Bariarpur, District- Munger.

... .. Petitioner/s

Versus

1. Indian Oil Corporation Ltd. through its Regional Manager, 3A, Maurya Lok Complex, Dakbanglow Road, Patna.
2. Area Manager, Indian Oil Corporation Ltd., (Pipe Line Division) EPRL Pipe Lines, BKPL Headquarter, Barauni, Begusarai.
3. Area Manager, Indian Oil Corporation Ltd., (Pipe Line Division) EPRL Pipe Line Construction Office, Kathalbari, Khanjarpur, Bhagalpur, Bihar.
4. Anil Prasad Singh S/o Late Parasnath Mandal and adopted son of Late Chedi Mandal Resident of Village- Jirpur, P.S.- Bariarpur, District- Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anurag Saurav, Advocate Mr. Abhinav Alok, Advocate
For the Respondent/s	:	Mr. Ankit Katriar, Advocate Mr. Uday Bhan Singh, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 12-12-2022

Heard learned counsel for the parties.

Petitioner has prayed for the following relief(s):-

- I. For providing compensation to the petitioner by respondent authorities against the acquisition of right of use of petitioner's land for laying of pipe line and the said



acquisition had been taken place without providing any compensation to the petitioner against the damage or loss sustain by the petitioner while acquisition of right to use of the said land and without following the procedure for providing compensation as prescribed under section 10 of the Petroleum and the Mineral Pipe Lines (acquisition of right of user in land) Act 1962.

- II. For issuance of writ in the nature of mandamus directing the respondent authorities to not considered the objection raised by respondent no.4 on the ground that the respondent no.4 had no title in the said land and there is no injunction on the decree passed by Sub-Judge in favour of petitioner till date.
- III. For issuance of writ nature of mandamus directing the respondent authorities to consider the representation filed by the petitioner for providing compensation after considering the details provided by the petitioner.
- IV. For issuance of any other relief or reliefs as sought for



Learned counsel for the petitioner states that within four weeks from today, petitioner shall prefer a petition before the competent officer under the provisions of the Petroleum and Minerals Pipelines (Acquisition of Right of User Inland) Act, 1962.

Learned counsel for the respondents states that with the receipt of such application, the authority concerned shall positively consider and decide the issue, be it of fact or law, within a period of six months or the period prescribed under the Statute, whichever is later.

Statement accepted and taken on record.

Needless to add, principles of natural justice shall be followed and due opportunity of hearing as also placing on record relevant material shall be afforded to the petitioner.

Also, the reasoned and speaking order, shall be supplied to the petitioner.

The present petition stands disposed of in the aforesaid terms.



Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

P.K.P./Amrendra

AFR/NAFR	
CAV DATE	
Uploading Date	13.12.2022
Transmission Date	

