

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3108 of 2023

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Rama Shanker Roy @ Ramashankar Roy Son of Late Nand Bihari Roy,
Resident of Village- Bheriyahi Soti, Police Station- Kanti, District-
Muzaffarpur. At present residing at ward no. 2, Brahampura North of Nazir
Building, P.O.- MIT, P.S.- Brahampura, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Petroleum and Natural Gas.
2. The Deputy General Manager (Construction) Indian Oil Corporation, Patna.
3. The Collector, Muzaffarpur.
4. The Circle Officer, Kanti, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Hari Kishore Thakur, Adv.
	:	Mr. Pramod Kumar, Adv.
For the State/s	:	Mr. Mukul Prasad, AC to GP-18
For the Respondent No.2:	:	Mr. Uday Bhan Singh, Adv.
For the U.O.I.	:	Mr. Praveen Kumar Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 19-07-2023

Heard learned counsel for the petitioner and
learned counsel for the Indian Oil Corporation.

2. The present writ petition has been filed for
granting adequate compensation for acquisition and installation
of the Gas Pipe Line through the petitioner's *khatiyani* land
appertaining to Khesra No. 445, Thana No. 73, measuring 4
katha 3 dhur situated in Village- Bhagwanpur, P.S.- Kanti,
District- Muzaffarpur which has been forcibly acquired by the
Indian Oil Corporation without giving any notice, information
or compensation.

3. Counsel for Indian Oil Corporation has appeared
and submits that such type of acquisition is said to be the
Acquisition of Right of User in Land Act, 1962 (Act 50 of
1962) . Counsel submits that under the statute, the petitioner has

remedy before the competent authority for his grievances under Section 5 of the Petroleum & Mineral Pipelines (Acquisition of Right of User in Land) Act, 1962 (Act 50 of 1962) (hereinafter referred to as ‘the Act of 1962’).

4. Counsel further submits that the address of competent authority is already mentioned in Annexure-1, i.e., “Office of competent authority Indian Oil Corporation Limited Kaliket Nagar, Bailey Road, Patna 801503.”

5. Counsel for the petitioner submits that he has tried his level best to search the address mentioned in Annexure-1 but he has not found any office on the said address.

6. In this view of the matter, this Court has gone through the contents of the statute under Section 5 of the Act of 1962 in which the hearing of objection is there which talks about that if any person has objection in the said land, then he shall file objection petition within 21 days from the date of objection and admittedly, 21 days has already been lapsed.

7. In this view of the matter, the said timeline of filing within 21 days of objection is hereby ignored. The objection petition filed by the petitioner under Section 5 of the Act of 1962 shall be entertained by the competent authority who shall pass order within two months after receiving the objection

petition filed by the petitioner under Section 5 of the Act of 1962 and provide compensation amount in accordance with law within six weeks, thereafter. The opportunity of hearing shall also be provided to the petitioner.

8. The petitioner shall be at liberty to file representation either before the competent authority or if address could be be traceable by him then, in that case, he shall file representation to G.M., Indian Oil Corporation who shall provide mobile No., e-mail address and Whatsapp no. to the petitioner so that proper correspondence be made.

9. Counsel for the Indian Oil Corporation also assure to this Court that from today onwards in such type of matter, they shall also provide official e-mail address and official mobile no. of the competent authority, so that the aggrieved person like petitioner may represent online also.

10. With this direction, this civil writ application is hereby disposed of.

(Dr. Anshuman, J.)

prakashmani/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	21.07.2023
Transmission Date	N.A.