

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7032 of 2019

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Praveen Kumar S/o Shri Chandradeep Singh Resident of Village Ahibaspur
P.S. Akori Gola, P.O. Dalmiya Nagar, District- Rohtash (Bihar).

... .. Petitioner/s

Versus

1. The Gas Authority of India Limited through its Managing Director, GAIL Bhawan, 16, Bhikaj Coma Place New Delhi, 110066.
2. Managing Director, Gail Bhawan, 16, Bhikaj Coma Place New Delhi, 110066.
3. Competent Authority Mainline, Sasaram (Bihar) GAIL (India) Ltd. J.H.P.L. Construction Office Hotal Patliputra Ashok Complex Birchand Patel Path Patna 800001.
4. The State of Bihar through District Land Acquisition Officer, Rohtas at Sasaram.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mrs.Kumari Sujata Sinha, Advocate
For GAI	:	Mr. Uday Bhan Singh, Advocate
For the State	:	Mr. Dhurjati Kumar Prasad, GP-14

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 14-05-2024 Heard Mrs. Kumari Sujata Sinha, learned counsel for

the petitioner and Mr. Uday Bhan Singh, learned counsel for

Gas Authority of India Limited as also Mr. Dhurjati Kumar

Prasad, representing the State.

2. The petitioner has prayed for the following reliefs:

(i) for issuance of Mandamus for writ in the nature of and/or any other appropriate writ, order or direction commanding upon Pay adequate petitioner land rate area



on the respondents compensation for acquisition to of to the his the basis of the prevailing of the commercial land of which assessed has been the of the illegally basis land of as on classification the agricultural land illegally.

3. A counter affidavit has been filed on behalf of the Gas Authority of India Limited and paras- 12, 13, and 18 read as follows:

"12. that with regard to the statement made in paragraph no.10 of the writ petition, it is stated that vide this office letter no. 256 dated 29.01.2019, whole information with regard to the nature of land and total compensation of the crop and land had been provided to the petitioner's father. Petitioner's father had received this letter on 01.02.2019;



13. that with regard to the statement made in paragraph ne 11 of the wit petition, it is stated that after petitioner's request dated 18.02.2018, plot no. 802 has again been measured on 27.02.2018 in presence of the petitioner's father and other tenants. The area of acquisition was again found correct. Other tenants signed the memorandum of inspection and measurement except the petitioner's father, despite the fact that he was present at the time of measurement;

18. that it is respectfully submitted that the Petitioner has remedy under Section 10(2) of P & MP Act, 1962 to go to District Judge of the area, raise his objection regarding inadequate compensation which he has not



availed. The Petitioner instead of filing before the District Judge has directly approached to this Hon'ble Court without availing alternative remedies, thus the writ application is not maintainable and there is no merit in the present writ application and is fit to be dismissed.

4. He submits that once bona fide claimant appears alongwith the relevant documents, the payment shall be made.

5. Learned counsel appearing on behalf of the petitioner submits that proper petition alongwith relevant documents shall soon be submitted before the concerned authority for the payment.

6. So far as the grievance of changing the nature of land, the learned counsel for the petitioner submits that she shall be taking appropriate steps to approach the appropriate authority for the redressal of the second grievance.

7. The writ petition stands disposed of with the observation that if the petitioner and/or his family members and/or the claimant to the land in question approaches the



concerned authority alongwith all the relevant documents within four weeks from today, the concerned authority shall look into the documents and if satisfied, the payment should be released within a period of four months thereafter.

8. The writ petition stands disposed of.

(Rajiv Roy, J)

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