

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14860 of 2022

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Bhim Sen Singh Son of Late Parmeshwer Singh, Resident of village-
Dhanhar, Post- Ramchandra Nagar, Police Station- Jamhore, District-
Aurangabad presently Residing at A-471, AG Colony, Post- Ashiyana Nagar,
Patna- 800025

... .. Petitioner/s

Versus

1. The Gas Authority of India Ltd. through its Chairman cum Managing Director, GAIL Bhawan, 16 Bhikaji Cama Place, R K Puram, Delhi, India. Pin- 110066.
2. The Chairman cum Managing Director, GAIL Bhawan, 16 Bhikaji Cama Place, R K Puram, Delhi, India. Pin- 110066.
3. The Chief Manager, Gas Authority of India Ltd., Aurangabad.
4. The Executive Director (ER) and Appellate Authority, Gas Authority of India Ltd., Ranchi, Jharkhand.
5. The Public Information Officer cum Land Reform Deputy Collector cum Competent Authority, Gas Authority of India Ltd., Gaya.
6. The State of Bihar, through its Chief Secretary Government of Bihar, Old Secretariat, Patna.
7. The Chief Secretary, Government of Bihar, Old Secretariat, Patna.
8. The District Magistrate, Aurangabad.
9. The Circle Office, Aurangabad.
10. Sudhir Kumar Son of Late Ram Naresh Singh, Resident of Village- Rampur, Tola- Dhanhar, Post- Ranchandra Nagar Police Station- Jamhore, District- Aurangabad.
11. Randhir Kumar Singh Son of Late Ram Naresh Singh, Resident of Village- Rampur, Tola- Dhanhar, Post- Ranchandra Nagar Police Station- Jamhore, District- Aurangabad.
12. Vijay Kumar Singh Son of Late Ram Prit Singh, Resident of Village- Rampur, Tola- Dhanhar, Post- Ranchandra Nagar, Police Station- Jamhore, District- Aurangabad.
13. Arjun Singh Son of Late Parmeshwer Singh, Resident of Village- Rampur, Tola- Dhanhar, Post- Ranchandra Nagar, Police Station- Jamhore, District- Aurangabad.
14. Amresh Kumar Singh Son of Late Parmeshwer Singh, Resident of Village- Rampur, Tola- Dhanhar, Post- Ranchandra Nagar Police Station- Jamhore, District- Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ratnesh Kumar Singh, Advocate
For the State	:	Mr. Manoj Kumar Sinha, AC to SC-19
For the GAIL	:	Mr. Uday Bhan Singh, Advocate
		Ms. Kumari Shreya, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY



ORAL ORDER

2 06-03-2024 Heard Mr. Ratnesh Kumar Singh, learned counsel for the petitioner and Mr. Uday Bhan Singh representing the Gas Authority of India Limited as also Mr. Manoj Kumar Sinha, learned AC to SC-19

2. The petitioner has moved before this Court for the following relief:

“(i) the direction for payment/ release of the compensation/award amount for using land of the claimant for laying down gas pipeline situated at Mauza- Rampur; Thana No.-46, Khata No.270, Khesara No.1095, District- Aurangabad after calling call for impugned order passed by the Chief Manager, Gas Authority of India Ltd., Aurangabad and quashing the same upon its production, wherein the Chief Manager, Gas Authority of India Ltd., Aurangabad sudden changed/withhold the compensation/award amount without hearing the Claimant/ Petitioner and without communicating the impugned order.

(ii) grant interest @ 12% and cost for wrong withholding of the compensation amount.



(iii) grant any other relief to the petitioner which Petitioner is entitled in the facts and circumstances in this case.”

3. Learned counsel for the petitioner Mr. Singh submits that land belongs to him as also his two brothers respondent No. 13 and 14 namely Arjun Singh and Amresh Kumar Singh. Though, the compensation amount has been paid to the aforesaid two respondents, the Gas Authority of India Limited (henceforth for short ‘the GAIL’) has stopped payment to him. He has taken this Court to the different Annexures to show that he is the owner of the land but without any success. It is his submission that even the authorities are only relying on the objection petition preferred by Vijay Kumar Singh (respondent No. 12) who is his agnate though no document in support of the said land has been submitted by the said respondent and despite that ‘the GAIL’ is sitting over the matter.

4. Learned counsel appearing on behalf of ‘the GAIL’ on the other hand submits that Vijay Kumar Singh made an objection and informed that Title Suit No. 135 of 2015 is pending before the competent Court in Aurangabad relating to the said land which prevented them to make payment. It is his further submission that the two brothers of the petitioner were paid the compensation amount before the objection came in and



in that circumstance, the payment has not been made to the petitioner.

5. The further submission is that 'the GAIL' in its RTI appellate order on 01.10.2021 made a categorical statement that even in the said circumstance, if the petitioner has any grievance, it can move directly before the competent authority, GAIL (India) Limited, Bihar. The relevant observation is as follows:

“The information/reply provided by CPIO GAIL, to the applicant, against the RTI request is found to be in order. In view of the same no further action is required in this regard. Understandably the information sought pertains to subjudice matter which is presently pending in Aurangabad Court (Case No. 174/14, 337/2014). However, in case of any grievance related to land compensation by GAIL, appellant may directly approach Competent Authority, GAIL (India) Limited, Bihar or follow separate grievance portal.”

6. This Court find force in the submission put



forward by the learned counsel for 'the GAIL'. Though it is an admitted fact that the petitioner has provided all the documents to show his bona fide regarding the land in question coupled with the fact that his two brothers have been extended the compensation, in view of the objection made by Vijay Kumar Singh (respondent No. 12), 'the GAIL' has not cleared the amount.

7. In any case, it would have been appropriate for the petitioner to move before the competent authority as pointed out by learned counsel appearing on its behalf.

8. Mr. Uday Bhan Singh, learned counsel appearing on behalf of the 'the GAIL' has submitted that in course of two days he will be providing the entire details of the competent authority where the petitioner can prefer his petition.

9. Learned counsel for the petitioner, Mr. Singh submits that within four weeks, the petitioner will approach the competent authority with all the relevant documents to satisfy them so that a decision is taken in the matter.

10. If the said petition is preferred by the petitioner within four weeks before the competent authority, they are duty bound to take it to its logical conclusion at an



earliest and preferably within a period of six months from the date of filing of the said petition by the petitioner.

11. CWJC No. 14860 of 2022 stands disposed of with the aforesaid observation.

(Rajiv Roy, J)

Adnan/-

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