



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.2294/2023

Khalil Mulla Chisti

Vs.

The Deputy Collector/Competent Authority, Maharashtra State Gail (India) Limited,
Mumbai and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Sk. Sibghatullah Jagirdar, Advocate for petitioner
Shri Atul Pande, Advocate for respondent Nos.1 and 2

**CORAM : AVINASH G. GHAROTE AND
SMT. M.S. JAWALKAR, JJ..**

DATED : 01/04/2024

The only ground raised by the petitioner in the petition, challenging the laying of the gas pipeline to his agricultural field Survey Nos. 36 and 37 situated at village Ashti, is that the pipe being made of metal can be bent and laid along with the boundary of the field.

2. Shri Atul Pande, learned Counsel for respondents, upon instructions, makes a statement that the depth of the pipeline, which is a gas supply pipeline laid by the respondent No. 2 would be minimum of 6 meters. Considering which, we are of the considered opinion that no damage would be caused to the agricultural activities being conducted by the petitioner in the aforesaid fields. The question of laying the gas pipeline in a zigzag manner on the boundary of each and every field would actually be detrimental to the free flow of gas, through the pipeline, considering which, we are not inclined to entertain this petition.

3. Needless to say that, in case the petitioner seeks enhancement of the compensation already awarded, he would be entitled to avail of any remedy available under the Petroleum and Minerals Pipelines (Acquisition of Right and User of Land) Act, 1962 and the Rules thereunder.

JUDGE

JUDGE

R.S. Sahare