

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

2024:PHHC:138623-DB



Civil Writ Petition (PIL) No. 227 of 2024 (O&M)

Date of Decision: 22.10.2024

Praveen Singh Tewatia

.....Petitioner

versus

Union of India and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE ANIL KSHETARPAL, JUDGE**

Present : Dr. Pankaj Nanhera, Advocate, for the petitioner.

Mr. Satya Pal Jain, Addl. Solicitor General of India with
Mr. Rajiv Sharma, Senior Central Govt. Counsel
for respondent No.1.

Mr. Raman Sharma, Advocate with
Mr. Manav Sharma, Advocate for Bharat Petroleum.

SHEEL NAGU, CHIEF JUSTICE (Oral)

This petition has been filed as a Public Interest Litigation raising alleged public cause of the marginal farmers that for laying of Piyala-Jewar pipeline to carry air turbine fuel (ATF) to the under construction International Airport at Jewar, suitable compensation in terms of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 has not been awarded to the farmers despite their agricultural activities having been disturbed by laying of the said pipeline and therefore, this petition seeks quashment of Annexure P-1, a notification dated 19.12.2023 issued under Section 3(1) of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962, (for short 'the Act of 1962') and for issuance of a further direction to respondents to reconsider the

alignment by laying the said pipeline along the National Highway instead of through the agricultural fields.

2. After hearing learned counsel for the rival parties, this Court is of the considered view that no case for interference is made out on the following grounds:-

- i) The said pipeline is being laid by invoking the provisions of the Act of 1962 which not only provides for a detailed procedure for issuance of notification for acquisition of land but also for survey of land proposed to be acquired, hearing of the objections made by the concerned aggrieved persons and award of compensation with further remedy before the District Judge for adjudicating disputes arising from proportionment of compensation.
- ii) More so, grievance raised by the petitioner is essentially an individual grievance which ought to be raised by the aggrieved person concerned.
- iii) Process of alignment of pipeline lies within the domain of technical experts and this Court is not equipped with technical knowledge how to ascertain the correctness of the alignment which is best left for the experts to dwell upon.
- iv) The kind of dispute raised herein cannot be raised in a Public Interest Litigation as it is essentially individualistic in nature. The aggrieved persons are free to raise their respective grievances in accordance with law.

3. The contention that the aforesaid pipeline can be laid along the National Highway cannot be gone into as it is for the experts to decide the alignment for laying of the pipeline. More so, the Act of 1962 provides for provision for considering the grievance of the individual aggrieved persons

and for grant of adequate compensation with further remedy to the District Judge concerned and therefore, the aggrieved persons are free to avail the said remedy under the Act of 1962.

4. In view of the above, no case for interference is made out. The petition stands dismissed.

(SHEEL NAGU)
CHIEF JUSTICE

(ANIL KSHETARPAL)
JUDGE

22.10.2024

ravinder

Whether speaking/reasoned	√Yes/No
Whether reportable	Yes/No√