

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14139 of 2017

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Upendra Singh Son of Late Ramjanam Singh, Resident of Village- Kendui,
P.S.- Magadh Medical College, District- Gaya, Bihar.

... .. Petitioner/s

Versus

1. The Union Of India
2. The Gail India Ltd. a Govt. of India undertaking through its General Manager Projects Gail Jubil
3. The General Manager Construction Gail India Ltd. Gail Jubilee Tower, B-35 and 36, Sector-1, Noida-
4. The Chief Manager Construction Gail India Ltd. JHPL Construction Office, Hotel Patliputra Ashok Com
5. The Competent Authority Bihar, Gail Maria Ltd.
6. The District Magistrate, Gaya.
7. The Circle Officer, Bodh Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate
For the Respondent/s : Mr. Dhurjati Kumar Prasad, GP-14

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-05-2025 Heard Mr. Surendra Kumar Singh, learned counsel for the petitioner, Mr. Uday Bhan Singh representing the Gas Authority of India Ltd. (hereinafter referred to as 'the Gail') as also Mr. Dhurjati Kumar Prasad, GP-14

2. The present writ petition has been preferred for the following relief(s):

“i) To issue an appropriate write, commanding the Respondents to decide the compensation of the acquired land of the petitioner



treating the land of petitioner under the category of residential or developing and consequently make the due payment of the compensation before installing the pipeline over the lands of the petitioner.

ii) To issue further appropriate write order of direction commanding the Respondent to decide the Correct category of land as well as the quantum of due compensation forthwith with further direction to make the payment of compensation to the petitioner within fortnight of such decision.

iii) To issue further appropriate writ or direction restraining the Respondents from doing any pipelining work in the land of petitioner till payment of compensation.

iv) This Hon'ble Court may adjudicate and hold that it was the statutory duty of the Respondent Authorities to decide the Correct category of land of the petitioner as per the categorization made by the competent authority as contained in MVR (Minimum Valuation Register)



v) *This Hon'ble court may further adjudicate and hold that the Respondent are bound to calculate the compensation amount of the lands of the petitioner and his family members treating to same to be Residential/ Developing because the Land is situated is distance of 80 Meter from revenue village Basadi.*

vi) *To award the cost of litigation and suitable compensation to petitioner and his family member for the loss and damages caused due to negligence and latches on the part of Respondents.*

vii) *To grant any other relief or reliefs which the Petitioner may be found entitled to in the facts and circumstances of the case.”*

3. At the outset, learned counsel representing ‘the GAIL’ submits that a counter-affidavit has been filed by them and it shows that the petitioner has not availed the alternative remedy. He has taken this Court to an order of **Bhim Sen Singh vs. The State of Bihar & Ors. (CWJC No. 14860 of 2022)** disposed of on 06.03.2024 to submit that in similar such case, the Court allowed the petitioner to approach the competent authority where the matter was to be disposed of in six months.



4. The relevant paragraphs of the order read as follow:

“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.”

5. Learned counsels representing the petitioner as also the State have no objection to it.

6. In that background, following the order passed in **Bhim Sen Singh (supra)**, the petitioner is allowed to prefer petition before the competent authority in four weeks who shall ignoring the delay in filing such petition shall further take the same to its logical conclusion within six months from the date the petition is filed.

7. The writ petition stands disposed of.

(Rajiv Roy, J)

Adnan/-

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