

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17471 of 2018

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1. Aditya Narayan Chaturvedi and Anr Son of Late Vishwanath Chaubey.
 2. Dinanath Chaturvedi, Son of Sri Aditya Narayan Chaturvedi, Both residents of Village Bhopatpur, P.O. Bhatti, P.S. Mohania, District- Kaimur at Bhabhua.

... .. Petitioner/s

Versus

1. The Union Of India
2. The Competent Authority Bihar, Gail India Limited, Construction Office Hotel Patliputra Ashok Comp
3. The Deputy General Manager, Gail India Limited Having a Local office at BNS International Hotel, Sa
4. The State of Bihar, through the Principal Secretary, Department of Revenue and Land Reforms, Bihar,
5. The Collector, Kaimur at Bhabhua.
6. The S.D.O., Mohania, District- Kaimur.
7. The Anchaladhikari Mohania, District- Kaimur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Yogendra Mishra, Advocate Ms. Swati Mishra, Advocate
For respondent no.2 and3	:	Mr. Uday Bhan Singh, Advocate Ms. Kumari Shreya, Advocate
For the State	:	Mr.Md.Khurshid Alam -Aag12

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 01-12-2025 Heard the parties.

2. The present petition has been preferred for the following relief/s:

*(i) an appropriate writ, order or direction,
declaring the entire action taken from the
stage of notification u/s 3 of the Act upto the
stage of preparation of award, if any, being in*



violation of mandatory provisions of the Act as well as the Rules of natural justice as illegal, void, malafide and without jurisdiction, be issued;

(ii) an appropriate writ, order or direction, commanding the respondent 1st party to forebear from taking action specially for preparation of award of compensation of the land without hearing the parties in accordance with law, be issued;

(ii) any other relief or reliefs for which the petitioner is found entitled to, be issued.

3. The matter relates to laying down the pipelines relating to Haldiya-Jagdishpur and the petitioners belong to Kaimur district through which the pipeline is going.

4. It is stand of the petitioner that the respondents never provided the papers/information and as such they have not received any compensation.

5. Learned counsel representing the Gas Authority of India Limited (henceforth for short 'GAIL') has taken this Court to Annexure-B of the counter affidavit to show that the petitioners chose not to respond after reading the notice. He has further provided a copy of the order dated 06.01.2020 passed by the



Division Bench of this Court in **C.W.J.C. No. 8424 of 2018 (Prabhakar Kumar vs. The Union Of India and Ors)** wherein it has been recorded that it is open for each one of the claimant to take recourse to alternate remedy available in accordance with law. Further, the observation of the Division Bench is that if at all, the petitioners take recourse to such remedy before appropriate forum, the same shall be dealt with in accordance with law and a reasonable period.

6. This Court has no hesitation in following the order dated **06.01.2020** passed by the Division Bench in **Prabhakar Kumar (supra)**. The petitioners shall be approaching the appropriate authority for the redressal of the grievance.

7. Needless to add, if a proper petition alongwith all the supporting documents is/are presented, the delay cannot be reason for not entertaining it and matter shall be taken to its logical conclusion within a reasonable period in accordance with law.

8. The writ petition is disposed of with the aforesaid observation.

(Rajiv Roy, J)

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