

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5676 of 2022

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Bachandev Yadav @ Bachho Mahto @ Bachandeo Yadav Son of Late
Makhan Yadav @ Makhan Mahto Resident of Village- Bagdumba, Police
Station- Bounsi, District- Banka.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary, Ministry of Petroleum and Natural Gas, Shashi Bhawan, Dr. Rajendra Pd. Road, New Delhi.
2. The State of Bihar through the Principal Secretary, Revenue and Land Reforms Department, Bihar, Patna.
3. The Chairman, Indian Oil Corporation Ltd., Loknaya Jayprakash Bhawan, Dak Bungalow Chowk, Patna, Bihar.
4. The District Magistrate, Banka.
5. The Land Acquisition Officer, Banka.
6. The Sub Divisional Officer, Banka.
7. The Circle Officer, Banka.
8. The General Manager (OPS), Head Office, Mumbai.
9. The General Manager, Barauni Refinery, Head Office Barauni, Begusarai.
10. The Deputy General Manager, Barauni Refinery, Head Office Barauni, Begusarai.
11. The Competent Authority, Indian Oil Corporation Ltd., Pipe Line Division, E.R.P.L. Construction, Hira Niketan, Kaliket Nagar, Baily Road, Patna 801503.
12. The Competent Authority, Indian Oil Corporation Ltd., P.H.N.P.L. Extension Project, Barauni Construction Office, B.K.P.L. Head Office, Barauni, Begusarai- Pin- 851114.
13. The Pratinidhi, Indian Oil Corporation Ltd., P.H.N.P.L. Extension Project, Barauni Construction Office, B.K.P.L. Head Office, Barauni, Begusarai.
14. The Competent Authority, PHDPL-AUG, Indian Oil Corporation Ltd., P.H.N.P.L. Extension Project, Barauni Construction Office, B.K.P.L. Head Office, Barauni, Begusarai.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Balram Kapri, Adv.
For the IOCL	:	Mr. Uday Bhan Singh, Adv. Ms. Kumari Shreya, Adv.
For the State	:	Mr. Ebadur Rahman Shakeb, AC to AAG-12

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 14-10-2025 The instant writ petition has been filed by the



petitioner under Article 226 of the Constitution of India, seeking the following reliefs :-

“(i) For a direction to the respondent authorities to provide compensation for the land bearing Khesra No. 659, total area-23.2271 decimal which has been used by the respondent for extension of gas pipeline.

(ii) For a direction to the respondent authorities to provide fair and sufficient compensation for the land of the petitioner which has been used by them under The Petroleum and Minerals Pipelines (Acquisition of right of user in land) Act, 1962 and also on the ground that nearby person has been granted more compensation than the petitioner.

(iii) For any other relief/reliefs if petitioner found entitle in the facts and circumstances of the present case.”

2. Mr. Balram Kapri, learned counsel for the petitioner, Mr. Uday Bhan Singh, learned counsel for the Indian Oil Corporation Limited (IOCL) and Mr. Ebadur Rahman Shakeb, learned counsel for the State-respondents, are present and they are heard.

3. The main grievance raised by the petitioner in this writ petition is that in respect of his land pertaining to Khesra No. 445/A (area-12.0497 decimal) and Khesra No. 441/A (area -07 decimal), situated at Mauza – Bagdumba, insufficient compensation has been given by the IOCL and no compensation



has been given in respect of his land pertaining to Khata No. 133, Khesra No. 659, area -23.2271, Mauza- Bagdumba, which has also been used by the IOCL in extending the pipeline.

4. During the course of argument, learned counsel appearing for the IOCL has referred to section 5 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (in short 'PMP Act'), with saying that the petitioner did not raise his objection with regard to insufficient compensation in respect of the land relating to Khesra No. 445/A and Khesra No. 441/A, within the prescribed time limit of 21 days from the date of the notification and further, the petitioner did not avail the remedy under section 10 of the PMP Act, so, the instant petition is not maintainable in respect of the issue raised by the petitioner in connection with insufficient compensation as alleged by him for the land relating to Khesra No. 445/A and Khesra No. 441/A, regarding which he had admittedly got the compensation and sofar as the non-payment of compensation in respect of the land pertaining to Khesra No. 659, total area -23.2271 decimal, as mentioned in this petition is concerned, in this regard, the petitioner may be directed to file a fresh representation before the competent authority as defined under the Petroleum and Minerals Pipelines Act.



5. Considering the aforesaid submissions made by learned counsel appearing for the IOCL, the petitioner is given a liberty to file fresh representation before the competent authority defined under the Petroleum and Minerals Pipelines Act within the next six weeks from today. If the petitioner avails this liberty in the said stipulated period then the concerned competent authority shall decide his representation, as per the provision of law, with reasoned order after examining all the relevant facts as well as giving opportunity of hearing to the petitioner or his counsel and the same must be decided within ten weeks from the date of its filing.

6. Accordingly with the above direction and liberty granted to the petitioner, the instant writ petition stands disposed of.

(Shailendra Singh, J)

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