

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23094 of 2018

1. Rakesh Ranjan Mishra S/O Shri Bhagwat Mishra.
2. Arvind Kumar Mishra, S/o Bhagwat Mishra
3. Chunmun Devi, W/o Shri Bhagwant, Mishra. All R/o Gramin Bank Colony, Rauza Cenal Road, Fazalganj, Sasaram, Rohtas, Bihar.

... .. Petitioner/s

Versus

1. The Union Of India
2. State of Bihar, Through Collector, Rohtas at Sasaram.
3. GAIL INDIA Ltd. through its Chairman and Managing Director.
4. General Manager, Jagdishpur-Haldia Pipeline Project, GAIL, INDIA Ltd. having its construction office at Hotel Patliputra, Ashok Complex, Beerchand Patel Path, Patna
5. Deputy General Manager, Jagdishpur-Haldia Pipeline Project, GAIL INDIA Ltd., having its construction office at Hotel Patliputra, Ashok Complex, Beerchand Patel Path, Patna
6. District Magistrate-cum- Collector, Rohtas at Sasaram.
7. D.C.L.R., Rohtas at Sasaram.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Shashi Shekhar Dwivedi, Sr. Advocate
	:	Mr. Parth Gaurav, Advocate
For the State	:	Mr. Raj Kishore Roy, GP-18
	:	Mrs. Perna Anand, AC to GP-18

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-11-2025 Heard Mr. Shashi Shekhar Dwivedi, learned Senior Counsel for the petitioner duly assisted by Mr. Parth Gaurav, and Mrs. Perna Anand, learned AC to GP-18 representing the State as also Mr. Uday Bhan Singh, learned counsel representing Gas Authority of India Limited (henceforth for short 'the GAIL').

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



“for issuance of an appropriate writ, order or direction, for quashing the notification dated 26.07.2016 issued by the Central Government u/s 3(ii) of The Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (hereinafter referred as 'The Act') with respect to R.S Plot No. 443, Area 0.3914 Hectares (96 Decimals approx.) situated at Mauza Baijla, District Rohtas at Sasaram and also the subsequent notification dated 09.12.2016 issued by the Central Government u/s 6(i) of The Act.”

3. The claim of the petitioners is/are that the land in question [R.S. Plot No. 443, Chak Khata No. 44, Plot No. 273, (area 0.3914 hectare) at mauza-Baijla in the district of Rohtas] was purchased, mutated/rent receipt issued.

4. However, when the decision was taken for the Jagdishpur-Haldia Pipeline Project, instead of the petitioners, notices were issued to the original raiyats. Aggrieved, the present petition.

5. A counter affidavit has been filed on behalf of the respondent no. 4 and 5 duly signed by the Deputy General



Manager, (Construction, 'the GAIL') in which they have taken stand that all those who are entitled to the compensation are being paid the amount. The petitioners despite request have not come forward with any supporting document, to show their bonafide.

6. Learned Senior Counsel for the petitioners submit that in view of the said stand of 'the GAIL', they are ready to approach competent authority with all the supporting document to show that they own the land in question.

7. Mr. Uday Bhan Singh, learned counsel representing 'the GAIL' as also learned State counsel jointly submit that if the petitioners approach the competent authority alongwith all the document, naturally, the same shall be taken to its logical conclusion.

8. In that background, the writ petition stands disposed of allowing the petitioners to come forward with the documents and satisfy the competent authority who after going through it, if the petitioners are entitled took the payment, shall be doing the needful at an earliest.

(Rajiv Roy, J)

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