

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8000 of 2026

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Jagadambi Chaudhari son of Late Ramavatar Chaudhari, resident of Village - Mirzapur, Post Office - Changeri, P.S. - Barahat, District - Banka, PIN-813109.

... .. Petitioner

Versus

1. The Union of India through its Home Department, Ministry of Petroleum and Natural Gas, Government of India, Kartavya Bhawan-03, Janpath Road, New Delhi-110001.
2. The District Magistrate (Banka), District - Banka.
3. The District Land Acquisition Officer Banka, District - Banka.
4. The Senior Manager, Construction, Indane Gas Pipeline Division, LPG Bottling Plant, Village - Masudanpur, P.S. - Barahat, District - Banka.
5. The Assistant Manager, Indane Gas Pipeline Division, LPG Bottling Plant, Village - Masudanpur, P.S. - Barahat, District Banka.
6. The Circle Office, Anchal - Barahat, P.S. - Barahat, District -Banka.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr. Mritunjay Prasad Singh
For the Respondents	:	Mr. Ram Tujabh Singh, CGC
		Mr. Radhika Raman Singh, Sr. CG
For the State	:	Ms. Vijaya Laxmi Srivastava, AC to SC-23

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CORAM: HONOURABLE MR. JUSTICE RANA VIKRAM SINGH
ORAL ORDER

2 01-07-2026 Heard the parties.

2. At the very outset, the petitioner prays for deletion of prayer no.1 by submitting that he is not pressing relief no.1(i) as prayed in the writ application.

3. As such, this prayer is allowed and the prayer made at paragraph no. 1(i) would deem to be deleted as not pressed.

4. Alternatively, he makes a prayer to issue a direction to respondent nos. 4 and 5 to decide and dispose off the



representation filed by him for making payment of compensation amount of the land bearing Khata No. 16, Plot No. 158, area 25 decimals situated at Mouza - Kharhara (village - Masudanpur), Anchal and P.S.– Barahat, District – Banka, of the petitioner acquired by respondent nos. 4 and 5 on the strength of order dated 07.07.2025 passed by District Magistrate cum Collector, Banka in compliance of order dated 24.04.2025 passed in C.W.J.C. No. 5935 of 2025.

5. Learned counsel for the petitioner submits that his land has duly been acquired for which no compensation amount was paid, then compelled by the callous approach of the respondent nos. 4 and 5, the petitioner preferred a writ application before this Hon'ble Court vide C.W.J.C. No. 5935 of 2025 which was disposed off under order dated 24.04.2025 directing the District Magistrate-cum-Collector, Banka to consider the claim of the petitioner with respect to payment of compensation in connection with the land detailed in the preceding paragraph. In compliance thereof, the District Magistrate-cum-Collector, Banka having heard all the parties including the respondent nos. 4 and 5, the representative of Indane Gas Pipeline Division, LPG Bottling Plant, Banka directed for sending the entire record for deciding the claim of



compensation of the petitioner before the competent authority which in the present case is representative of Indane Gas Pipeline Division, LPG Bottling Plant, Banka. It has been noted in the order of the District Magistrate-cum-Collector, Banka that the representative appearing on behalf of I.O.C.L., Banka has appeared and submitted that the competent authority to take decision for payment of compensation with respect to acquisition of petitioner's land, is I.O.C.L., Barauni. Hence, the entire matter was directed to be forwarded to I.O.C.L., Barauni by DM, Banka vide order dated 07.07.2025 for taking appropriate decision for payment of compensation amount of the petitioner's land acquired by I.O.C.L., Barauni.

6. Learned counsel representing the State and the Union of India submits that the petitioner instead of approaching the competent authority had erroneously approached the District Administration, Banka which has no say in the matter and as such, on erroneous presumption he had also represented before the improper authority.

7. In this backdrop, it becomes manifest from the record and the order dated 07.07.2025 of the District Magistrate-cum-Collector, Banka that the competent authority to make payment with respect to compensation for the



acquisition of land of petitioner is I.O.C.L., Barauni where the petitioner had already preferred a representation on 18.10.2025 and the same is pending since then.

8. In this backdrop, the petitioner is given liberty to file a fresh representation detailing all the grievances supporting the same with necessary documents before the Administrative head of I.O.C.L., Barauni within three weeks henceforth and on the same being filed within three weeks, the administrative head of I.O.C.L., Barauni is hereby directed to take all possible steps in accordance with law to make payment of the compensation amount to the petitioner for the land duly acquired by I.O.C.L., Barauni, the details of which are Khata No.-16, Plot No. 158, area 25 Decimals situated at Mouza – Kharhara (Village – Masudanpur), Anchal and P.S.- Barahat, District- Banka for installing the gas pipeline on the petitioner's land.

9. The I.O.C.L., Barauni will dispose off the claim within a period of three weeks strictly in accordance with law keeping in view the provisions as contained in Section-80 of Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 with respect to payment of interest from the date of award till its actual payment which is stated as follows:



“80. When the amount of such compensation is not paid or deposited on or before taking possession of the land, the Collector shall pay the amount awarded with interest thereon at the rate of nine per cent, per annum from the time of so taking possession until it shall have been so paid or deposited:

Provided that if such compensation or any part thereof is not paid or deposited within a period of one year from the date on which possession is taken, interest at the rate of fifteen per cent per annum shall be payable from the date or expiry of the said period of one year on the amount of compensation or part thereof which has not been paid or deposited before the date of such expiry.”

10. Thus, this writ application is disposed of accordingly with the aforesaid direction.

11. All pending interlocutory application(s), if any, stand/s disposed off.

(Rana Vikram Singh, J)

Smriti/
Supratim-

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