

Court No. - 39

Case :- WRIT - C No. - 36360 of 2023

Petitioner :- Satyendra Singh

Respondent :- Union Of India And 3 Others

Counsel for Petitioner :- Shiv Kumar Singh, Sarvesh Kumar Pandey

Counsel for Respondent :- A.S.G.I., C.S.C., Nishant Mehrotra, Vaibhav Tripathi

Hon'ble Saumitra Dayal Singh, J.

Hon'ble Shiv Shanker Prasad, J.

1. Upon hearing Mr. Sarvesh Kumar Pandey, learned counsel for the petitioner, Mr. Mukul Tripathi, learned Standing Counsel for the State-respondents and Mr. Vaibhav Tripathi, learned counsel for respondent no.4, it transpires that the petitioner has applied for MS/HSD Retail Outlet Dealership at village and post- Uldan, Tehsil Mauranipur, District-Jhansi and a letter of intent in that regard has also been issued in favour of the petitioner on 21st January, 2020 by the Hindustan Petroleum Corporation Ltd. To set up such facility/retail outlet, petitioner has made request for grant of "No Objection "Certificate" (NOC), which is pending before the District Magistrate, Jhansi.

2. It is in that regard that the petitioner has disclosed that the Senior Superintendent of Police, Jhansi has submitted an adverse report dated 20th February, 2023. Though, such report is described to be adverse to the petitioner, the same has yet not been formally served upon him. In any case, the District Magistrate, Jhansi is described to have taken no action over a long period of time i.e. since 2020.

3. In view of the facts noted above, without entering into the merits of the factual dispute and without making any observations as to that, we find that the request made by the petitioner for grant of "No Objection Certificate" may not be kept pending any further.

4. Accordingly, the present writ petition is **disposed of** with a direction upon the District Magistrate, Jhansi to consider the request of the petitioner for grant of "No Objection Certificate". If the request is to be declined, it is expected that the District Magistrate would confront the petitioner with that adverse material and then take an informed decision thereafter, expeditiously, preferably within a period of two months from the date the petitioner files a copy of this order upon the District Magistrate.

(Shiv Shanker Prasad, J.)

(Saumitra Dayal Singh, J.)

Order Date :- 20.11.2023

Sushil/-