

GAHC010052142024



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/1464/2024

GANESH DEBNATH
S/O- MURARI MOHAN DEBNATH, VILLAGE- PASCHIM BALUHANDAL, P.O.
DHOLPUKHURI, P.S. LANKA, HOJAI, ASSAM

VERSUS

BHARAT PETROLEUM CORPORATION LTD AND 2 ORS
REPRESENTED BY ITS STATE HEAD (I AND C), WB, BIHAR, JHARKHAND
AND NORTH EAST, BHARAT BHAVAN, PLOT NO-31, PRINCE GULAM MD.
SHAH ROAD, GOLF GREEN, KOLKATA, WEST BENGAL- 700095

2:THE TERRITORIAL MANAGER
BHARAT PETROLEUM CORPORATION LTD. NEXIA PARK
GMCH ROAD
CHRISTIAN BASTI
GHY-05
ASSAM

3:M/S MAA LAXMI BHARAT GAS GRAMIN VITARAK
REPRESENTED BY ITS OWNER AND PROPRIETOR KISHORE DAS
SON OF BESARAM DAS
VILLAGE- ITAKHOLA
P.O. PADUMPUKHURI
DISTRICT- HOJAI
PIN

Advocate for the Petitioner : MR. K D SARMA

Advocate for the Respondent : MR. S S ROY(R-1,2)

**BEFORE
HONOURABLE MR. JUSTICE SOUMITRA SAIKIA**

ORDER

24.05.2024

Heard Mr. K.D. Sarma, learned counsel for the petitioner. Also heard Mr. S. Borthakur, learned counsel for the respondents No. 1 & 2 and Mr. R.M. Deka, learned counsel for the respondent No. 3.

2. The petitioner is aggrieved by the illegal or irregular activities carried on by the respondent No. 3 who is the agent for distribution of cooking gas of the respondent No. 1, namely the Bharat Petroleum Corporation Limited. The petitioner's son and daughter is a consumer of respondent No. 3. The grievances of the petitioner that the respondent No. 3 has distributed more than one connection beyond the norms permissible to other consumers. This distribution is made in respect of subsidized cooking gas. Under the scheme and the norms, there is one connection required to be granted to per family. He raised his objection before the authorities concerned by filing a representation dated 20.06.2023 which was stated to be received in the office of the respondent No. 2.

3. The learned counsel for the petitioner submits that although he has raised his grievances but they have not been redressed and the respondent No. 3 is carrying out the illegal activities by distributing the gas cylinders without following the norms and procedures causing great harassment to the local public.

4. This submissions of the writ petitioner are denied by the learned counsel appeared for respondents No. 1, 2 & 3. All the learned counsel submit that there is no such scheme or norms that each family has to be granted one gas connection. It is also submitted that the petitioner is not a consumer rather his son is a consumer. Therefore he cannot have any grievance. His son is not before this Court.

5. The limited prayer before the Court that his representation has not been redressed.
6. The learned counsel for the respondent No. 1 submits that the department is actively considering the representation and will take steps to dispose of the same within a very short period of time.
7. The counsel for the respondent No. 3 submits that in response to the representation submitted before the Court, he has also submitted his response before the respondent No. 2.
8. Taking into consideration the submissions made by the learned counsel for the parties, more particularly, the submissions of the learned counsel for the respondent No. 1, the writ petition stands disposed of with a direction to the respondent No. 2 to dispose of the representation dated 20.06.2023 stated to have been filed by the writ petitioner pending before the authorities and after due examination of all attending facts and circumstances, the respondent will take into consideration all the responses received from both the parties and thereafter pass the speaking order Any such order that is passed, copy thereof shall be served on the writ petitioner.
9. The entire exercise will be carried out within a period of 60 days from the date of receipt of a certified copy of this order.
10. The writ petition stands disposed of in terms of the above.

JUDGE

Comparing Assistant