

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9160 of 2011

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Kamini Singh, Wife of Arun Kumar Singh, Resident of Mohalla- Ward No. 2, P.O. - Forbesganj, P.S- Faorbesganj, District - Araria

.... Petitioner

Versus

1. Hindustan Petroleum Corporation Ltd. through its Chaiman-cum-Managing Director, HPCL, Petroleum House, 17 Jamshedji Tata Road Mumbai- 400020

2. The Chairman-cum-Managing Director, HPCL, Petroleum House, 17 Jamshedji Tata Road, Mumbai- 400020

3. The Zonal Manager (Retail) Hindustan Petroleum Corporation Limited, 6th, 7th & 8th Floors, North Tower, Core-2, Scop Minor District - Centre, Laxminagar, Delhi- 110002

4. The Senior Regional Manager, Begusarai Retail Regional Office- C/O-HPCL, Barauni Terminal, N.H. -31 At & P.O.- Papraur, Begusarai

5. National Highways Authority of India, Dwarka, New Delhi

6. The Chairman, National Highways Authority of India (N.H.A.I) Dwarka, New Delhi

7. Jai Prakash Gupta S/o Sri Sitaram Sah Resident of Village - Kasat, P.O. & P.S.- Sikety, District - Araria

.... Respondents

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Appearance :

For the Petitioner : None

For the Respondents : Mr. Rajeev Prakash, Advocate

For the NHA I : Mr. S.N. Pathak, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 01-10-2015

The present writ petition has been filed for restraining the concerned respondent-National Highways Authority of India from granting no objection in favour of private respondent no. 7 at N.H. 57 within five kilometers on L.H.S. from College Chowk of Forbesganj towards Araria which is mentioned at serial No.144 of the Tender floated by the Hindustan Petroleum Corporation Limited.

2. None appears on behalf of the petitioner despite

repeated calls.

3. Learned counsel for the respondent-Corporation, on the other hand, submits that the writ petition has now become infructuous as not only has the no objection certificate already been issued in favour of respondent no.7, but even the Letter of Intent has been issued in his favour. Thereafter, a Dealership Agreement has also been signed by the said respondent no. 7 and the retail outlet has since been functioning since 2012 itself. None of these actions and developments have been challenged by the petitioner. It is, therefore, submitted that the writ petition has become infructuous.

4. Mr. S.N. Pathak, learned counsel appearing on behalf of the respondent-NHAI, supports the stand of the respondent-Corporation.

5. Be that as it may, in view of non-appearance on behalf of the petitioner to press the writ petition, the same is dismissed for non-prosecution.

(Vikash Jain, J)

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