

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1129 of 2015

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AJIT KUMAR TIWARI, son of Sri Sachhidanand Tiwari, resident of village and Post- Vijaynagar, P.S.- Banka, District- Banka

.... Petitioner

Versus

1. The Hindustan Petroleum Corporation Limited, 17 Jamshedji Tata Road, Mumbai-400020, through its Managing Director.
2. The Managing Director, Hindustan Petroleum Corporation Limited, 17 Jamshedji Tata Road, Mumbai-400020.
3. The Sr. Regional Manager, Hindustan Petroleum Corporation Ltd. Patna L.P.G. Region Office, 6th Floor, Lok Nayak Jai Prakash Bhawan, Dak Bunglow Chowk, Patna-800001.
4. Sri Rahul Dokania, son of Late Kashi Dokania, resident of Aliganj, P.O. & P.S. - Banka, District- Banka,

.... Respondents

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Appearance :

For the Petitioner : Mr. Diwakar Upadhyaya, Advocate

For the HPCL : Mr. Rana Randhir Singh, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 11-02-2015

I have heard learned counsel for the petitioner and the respondent nos. 1 to 3.

In the facts and circumstances of the case and in view of the nature of order which being passed, this case is being considered and disposed of without issuance of notice to the respondent no.4.

Petitioner is aggrieved by selection of respondent no. 4 for grant of LPG Distributor.

Learned counsel for the petitioner submits that there is a guideline for selection of regular LPG Distributor and, according to that, any aggrieved person, who is aggrieved of selection and



rejection of his claim for grant of LPG Distributor can challenge the draw of result within 30 days by filing a complaint in accordance with law. Petitioner submits that he has filed the complaint within that period but the authorities have not issued any letter under Clause 13.5 under which he should have been asked to submit details of allegations along with supporting documents within a period of 15 days with a view to substantiate the allegations.

However, learned counsel for the respondent-Hindustan Petroleum Corporation Limited submits that Annexure 4 has already been issued which is dated 05.11.2014 and it has been submitted that whatever has been indicated by the petitioner in the complaint would be verified during the physical verification of the credentials of the document as well as the land of the petitioner before issuance of letter of intent. He further submits that in case the competent authority would be of view that the complaint is devoid of any merit then the rejection would be only after compliance of the aforesaid Clause 13.5 of the Grievance/Complaint Redressal System which reads as follows:-

“13.5. On receipt of the complaint, a letter will be sent to the complainant asking him to submit details of allegation within a period of 15 days with a view to prima facie substantiate the allegations along with supporting documents, if any.”

That being the situation, this writ application is being disposed of in view of the aforesaid statement made on behalf of the respondent-Hindustan Petroleum Corporation Limited.

It is made clear that the petitioner's complaint should not be rejected without compliance of clauses under Grievance/Complaint Redressal System contained the guidelines for Regular Distribution System and that should be done before issuance of letter of intent.

(Dr. Ravi Ranjan, J)

SC/-

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