

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12840 of 2015

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1. Shashi Bhushan Dwivedi Son of late Shrideo Dwivedi resident of Village- Bhadokhara, P.O. Bhadokhara, P.S. Tilouthu, District Rohtas.

.... Petitioner

Versus

1. The Union of India through the Director (M) Ministry of Petroleum & Natural Gas, Shastri Bhawan, New Delhi.
2. Indian Oil Corporation Limited ,Head Office, Mumbai through its Chairman.
3. The Chairman Indian Oil Corporation Limited Mumbai.
4. The Managing Director, Indian Oil Corporation limited Mumbai.
5. The Regional Manager, Indian Oil Corporation (INDANE), Shahi Bhawan, Exhibition Road, Patna-800001
6. Gaurav Indane Gramin Vitrak through its Proprietor Sri Satyendra kumar Dubey son of Sri Lalan Dubey Po +P.S Tilouthu ,District Rohtas

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rajendra Narayan Sr. Advocate.
Mr. Rajani Kant Singh

For the Respondent IOC : Mr. Anil Kr. Sinha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 02-11-2015 Heard Mr. Rajendra Narayan, Sr. Advocate for the petitioner and Mr. Anil Kr. Sinha for the respondent –IOCL and its officials.

The petitioner is aggrieved by the action taken by the respondent- IOCL in blocking the supply of LPG connection of the petitioner vide consumer No. CX19275397, no. 100000537986489, consumer no. 7000000021446396, STV 610000003333129 distributor code 247005.

Brief facts of the case shall be noticed. The father of



the petitioner was living in village Bhadokhara P.S. Tilauthu, in the District of Rohtas whereas the petitioner lives in Patna. The LPG connection was allotted on application to the petitioner in Patna. Similarly, his father was also allotted a gas connection. Unfortunately, the father of the petitioner died on 3rd of January, 2015. On such death the petitioner applied for transferring the gas connection in his favour. The respondent –IOCL allowed the said application and the gas connection was transferred in the name of the petitioner on 27th February, 2015 and thereafter for some time supply of gas cylinder was made. All on a sudden such supply was discontinued/blocked on 22nd July, 2015 which prompted the petitioner to file the present writ petition.

Mr. Anil Kr. Sinha, Advocate for the respondent IOCL, has referred to the statements made in the counter affidavit in order to submit that the petitioner cannot be allowed to have two gas connections.

Mr. Narayan, on the other hand, has submitted that the gas cylinder has now been made with subsidy and without subsidy. Any person desirous of having non -subsidy gas cylinder can get register and purchase the gas cylinder at the market price without the subsidy for the household. This provision has now been made by the respondent- IOCL very

recently. He submits that second gas connection for the household at village home of the petitioner may not be with subsidy. The petitioner would be ready and willing to have the gas cylinder at the market price and not at subsidized price claiming subsidy in his bank account. An undertaking to this effect, if required, shall be filed.

In the setting of the aforesaid facts, this Court finds no difficulty in allowing the writ petition by directing the respondent -IOCL to treat the petitioner as consumer of the LPG gas cylinder (without subsidy) and supply the gas cylinder at the market price as per the Rule.

(Kishore Kumar Mandal, J)

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