

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1297 of 2015

In
Civil Writ Jurisdiction Case No. 6616 of 2015

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Kalpana Kumari

.... Petitioner/s

Versus

The State of Bihar & Ors

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prashant Sinha

For the Respondent/s : Mr. I.O.C. Anil Kumar Singh

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

4 29-07-2015

I have heard learned counsel for the petitioner.

C.W.J.C. No. 6616 of 2015 filed by the petitioner was

disposed of with following observation.

“Learned counsel appearing for the respondent-Indian Oil Corporation also fairly submits on instruction that the respondent has also been made to understand that there is such defect in the advertisement, therefore, it is going to issue corrigendum and has taken a decision to extend the date of submitting papers with respect to the concerned area.

That being the situation, I do not find any reason to continue with this writ application in view of such statement made on behalf of the parties.

Accordingly, this writ application stands disposed of.”

Thereafter, this application has been filed for initiation of a proceeding of contempt as nothing could be done in that respect. However, in the show-cause affidavit it has been stated that in view of the letter no. P-19011/7/2011-IOC(Pt)/LPG dated 28.04.2015 sent by the Ministry of



Petroleum of Natural Gas, Government of India, appended as Annexure R/1 it has been intimated to all the Oil Companies to resolve the issue representing Rajiv Gandhi Gramin LPG Distributors(hereinafter to be referred to as “RGGLV”) the Ministry desires to commission a comprehensive study for devising a scientific and competitive market plan for increasing usage of LPG both in urban and rural areas and, till then, Rajiv Gandhi Gramin LPG Distributorship has been directed to be kept in abeyance, therefore, the necessary correction issuing corrigendum could not be made but, at the same time, it has also been stated by the opposite parties that it is not a case that, without issuing corrigendum, they have proceeded to allot distributorship to anyone.

In above view of the matter, I am of the opinion that in the facts and circumstances, the contempt case cannot proceed for the present as it has also been stated that whenever a notification would be issued or corrigendum would be issued or any new mechanism would be brought in existence for grant of distributorship then, obviously, every eligible person would be given a fresh chance which is required in view of the fact that the petitioner could not apply in time in view of the admitted flaw in the advertisement noticed in C.W.J.C. No.

6616 of 2015 upon which undertaking was given by the Oil Company.

Accordingly, this contempt proceeding is dropped.

(Dr. Ravi Ranjan, J)

SC/-

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