

**IN THE HIGH COURT OF JUDICATURE
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH**

TUESDAY THE TWENTIETH DAY OF JANUARY
TWO THOUSAND AND FIFTEEN

HONOURABLE SRI JUSTICE S.V. BHATT

WRIT PETITION NO. 33583 OF 2014

Between:

K. Ramprasad Reddy ... Petitioner

V/s.

Bharat Petroleum Corporation Limited
Represented by its State Co-ordinator,
Reliance Humsafar, 2nd floor,
8-2-618/2, Road No.11,
Banjara Hills, Hyderabad & Ors. ... Respondents

Counsel for the Petitioner : Sri Kasa Jaganmohan Reddy

Counsel for the Respondents : Sri O. Manohar Reddy

The court made the following : [order follows]

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ORDER:

Heard learned counsel for petitioner and Sri O.Manohar Reddy for respondents.

2. The writ petition relates to appointing dealer at Bathalapalli pursuant to the advertisement dated 14/09/2011. The petitioner prays for mandamus, declaring denial of outlet dealership to petitioner as illegal, arbitrary and unconstitutional. The petitioner submits that the arbitrary exclusion the petitioner's entitlement under a few heads and the location of site petitioner offered outlet is arbitrary. The petitioner in support of his submission relies upon the report dated 20/10/2012 submitted by the Assistant Manager [Retail] Kurnool, Manager [CG. Hyderabad] to Territory Manager [Retail], Hyderabad.

3. The learned standing counsel submits that the nature of prayer itself is sufficient to appreciate that before final decision could be taken in the matter, the petitioner is presuming denial of retail out-let agency to him and the present writ petition is filed.

4. The learned standing counsel further submits that respondents will consider the material available on record, compare the same with the requirements for selection of Retail Outlet Dealers and take a decision as the circumstances warrant.

5. Having taken note of the submissions of learned standing counsel, the writ petition is disposed of by directing the respondents to take a decision from the material available on record and in accordance with law within a period of four weeks from the date of receipt of copy of this order. It is made clear that the factual objections raised by the petitioner or its legal implications remain unanswered in this writ petition. It is open to the petitioner to agitate these aspects as and when the circumstances warrant.

As a sequel, Miscellaneous Petitions if any, pending in this writ petition shall stand closed.

JUSTICE S.V. BHATT.

20/01/2015
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