

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5533 of 2012

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Pawan Kumar Son of Sri Muneshwar Prasad Sharma, Resident of Village-Balia,
Buzurg, Police Station-Akbarpur, District-Nawada

..... Petitioner

Versus

1. The Bharat Petroleum Corporation Limited (L.P.G. Business Unit) Bharat Bhawan-II, 5th Floor-4 & 6 Currimbhoy Road, Ballard Estate Mumbai through its Registrar Manager, Mumbai
2. The Regional Manager, Bharat Petroleum Corporation Limited (L.P.G. Business Unit) Plot-31, Prince Ghulam Hd. Sah Road, Gulaf Grun, Kolkata (Regional Office)
3. The Territory Manager (LPG) Bharat Petroleum Corporation Ltd., Patna L.P.G. Territory Office and Botling Plant, Fatuha, Fatuha Industrial Area, P.O. and P.S. Fatuha, District-Patna
4. Sudhir Kumar Son of Sri Indradeo Singh Resident of Village-Balia, Buzurg, Police Station-Akbarpur, District-Nawadah

..... Respondents

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Appearance:

For the Petitioners: Mr. DEVENDRA PRASAD SINGH, ADVOCATE
For the Respondents: Mr. MADHURESH PRASAD, ADVOCATE

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 27-07-2016

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The present writ petition has been filed for a direction
to the respondent Corporation to cancel the selection/award of Rajeev
Gandhi Gramin LPG Vitrak ("the RGGLV" hereinafter) awarded in
favour of Sudhir Kumar (Respondent No. 4).

3. Learned counsel for the petitioner submits that the
Corporation ought to have proceeded with his complaint filed against



the land offered by the said Sudhir Kumar (Respondent No. 4) which he had claimed as belonging to him, whereas the Khatian relating to Plot No. 817 offered by the Respondent No. 4 stood in the name of one Gopi Singh (Annexure-2).

4, Learned counsel for the respondent Corporation on the other hand submits that no fault can be found with the action of the Corporation. It is not in dispute that the Land Possession Certificate ("LPC") dated 26.03.2011 (Annexure-B to the counter affidavit) as furnished by the respondent No. 4 clearly showed that the several plots of land enumerated therein including Plot No. 817 stood in his name. It is submitted that the Corporation thus was bound to consider such LPC which admittedly had not been cancelled even though some enquiry in the matter by the concerned authorities appears to be going on.

5. Having heard the parties and on consideration of the materials on record, this Court is not inclined to interfere in the matter at this stage as it cannot be said that the Corporation has acted in an arbitrary and perverse manner. The petitioner has not called into question the decision of the Corporation in its letter dated 30.01.2012 by which the complaint of the petitioner has been closed.

6. The writ petition accordingly stands dismissed. I.A. No. 3444 of 2016 also stands disposed of. It is however, made clear that in case the LPC in question comes to be cancelled by the State authorities after enquiry, the petitioner shall be at liberty to approach the

respondent Corporation for appropriate consideration of the matter in view of such subsequent development.

(Vikash Jain, J)

Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
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