

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10862 of 2015

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Lal Babu Singh, son of Sri Ujjain Singh, resident of village and P.O. Anchha, P.S. Daud Nagar, District - Aurangabad

.... Petitioner

Versus

1. The State of Bihar through the District Magistrate, Aurangabad
2. The District Magistrate, Aurangabad
3. The Sub-Divisional Officer, Daudnagar, District - Aurangabad
4. The Circle officer, Daudnagar, District - Aurangabad
5. The Hindustan Petroleum Corporation Ltd., 17, Jamshedji Tata Road, Mumbai through the Chairman - cum - Managing Director
6. The Chairman - cum - Managing Director, Hindustan Petroleum Corporation Ltd., 17, Jamshedji Tata Road, Mumbai
7. The Senior Regional Manager, Hindustan Petroleum Corporation Ltd., 6th Floor, Lok Nayak Jai Prakash Bhawan, Dak Bungalow Chowk, Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. S.B.K.Mangalam with Ms. Ranjana Bharti, Advocates

For the HPCL : Mr. Neeraj Kumar Gupta, Advocate

For the State : Mr. Jai Prabhat Kishore, AC to S.C. 13

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR DATTA
ORAL ORDER

3 23-08-2016 Heard learned counsel for the petitioner and learned counsels for the Hindustan Petroleum Corporation as also for the State.

The grievance of the petitioner is that the petitioner had been selected for a retail outlet in Daud Nagar, P.S. Daud Nagar, District Aurangabad and thereafter an application for No Objection Certificate has been made by the respondent Corporation before respondent No.2, the District Magistrate, Aurangabad as far back as on 9.5.2013 yet in the absence of any order on the said application for No Objection Certificate the matter has come to a stand still. It is, however, pointed out by learned counsel for the petitioner that so far as the plot offered by

the petitioner is concerned, since the same was under the acquisition proceedings the petitioner is willing to give an adjacent plot of land free from acquisition, which the respondent Corporation may consider in terms of the guidelines.

Learned counsel for the Hindustan Petroleum Corporation submits that unless an order is passed on the application for No Objection Certificate by respondent No.2, the District Magistrate, no further step can be taken by the Oil Company.

In the above circumstances, the writ application is disposed of with a direction to respondent No.2, the District Magistrate, Aurangabad to dispose of the application for No Objection Certificate within a period of two weeks from the date of receipt/production of a copy of this order. It is further directed that upon receipt of the order from the District Magistrate, Aurangabad on the application for No Objection Certificate, the respondent Oil Company will take further steps in the matter in accordance with law, including permitting the petitioner to offer an adjacent plot of land within the advertised area as may be permitted by the guidelines and the rules in this regard.

(Ramesh Kumar Datta, J)

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