

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7101 of 2012

Deo Bhushan Prasad S/O Late Harihar Prasad R/O Vill-Dhanadehri, P.S.-Parash Bigha, Distt-Jehanabad, Presently resident at B.S.K. College, P.O.-Maitahndam, Distt-Dhanbad (Jharkhand).

..... Petitioner

Versus

1. The Union of India through the Secretary, Petroleum and Natural Gases New Delhi
2. The Chief General Manager, Indian Oil Corporation Ltd. Bihar State Office Lok Nayak Bhawan, Patna-01
3. The Senior Area Officer/Manager, Indane Area Office, Indian Oil Corporation Ltd. Shanti Bhawan, Exhibition Road, Patna
4. Dr. Fani Bhushan Prasad S/O Late Harihar Prasad R/o -717 Apricot, Sahara Golden City, Adityapur-2, P.S.-RIT Adityapur-2, Distt- Saraikala Khanshama (Jharkhand)
5. Shree Gagan Bhushan Prasad S/O Late Harihar Prasad, Makhdumpur, Near C.R.P.F. Camp, P.S.-Makhdumpur, Distt-Jehanabad (Bihar).

..... Respondents

Appearance:

For the Petitioner:	Mr. Rajendra Narain, Sr. Advocate Mr. Raj Kishor Prasad, Advocate
For the I.O.C.:	Mr. Anil Kumar Jha, Sr. Advocate Mr. Sanat Kumar Mishra, Advocate
For the Resp. No. 5:	Mr. P.K.Shahi, Sr. Advocate Mr. Sanjay Kumar, Advocate
For the Resp. No. 4:	Mr. Binit Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 05-08-2016

Heard Mr. Rajendra Narain, learned Senior Counsel for the petitioner, Mr. Anil Kumar Jha, learned Senior Counsel for the respondent Corporation and Mr. P.K. Shahi, learned Senior Counsel for the respondent no. 5.

2. By this writ petition, the petitioner seeks a direction to the respondent Corporation to reconstitute the distributorship of M/s Prasad Indane Service, Makhdumpur, Jehanabad as per the Will/

Declaration dated 14.01.2001 of the then distributor Late Harihar Prasad who died on 12.12.2011 leaving behind his three sons who are his legal heirs; and for connected reliefs.

3. Mr. Rajendra Narain, learned Senior Counsel appearing on behalf of the petitioner states that in view of the declaration dated 14.01.2001 left behind by his father who was the proprietor of the LPG distributorship during his life time, the petitioner requested the respondent Corporation to reconstitute the distributorship in accordance with the declaration in terms of his representation (Annexure-3). It is submitted that the respondent Corporation is yet to consider and dispose of the said representation.

4. Having regard to the nature of the grievance of the petitioner, this Court is of the view that in the interest of justice, the respondent Corporation may be directed to consider and dispose of the petitioner's representation as contained in Annexure-3 in accordance with law after grant of a reasonable opportunity of hearing to all concerned.

5. The writ petition stands disposed.

(Vikash Jain, J)

Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	08.08.2016
Transmission Date	N.A.