

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7119 of 2017

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Ravi Kumar Singh Son of Late Ram Prasad Singh, Resident of Mohalla Karma Road, Police Station and Town Aurangabad, District Aurangabad.

.... Petitioner/s

Versus

1. The Hindustan Petroleum Corporation Limited, a Government of India Enterprises having its registered office at 17, Jamshedji Tata Road, Bombay through its Chairman.
2. The Chief Regional Manager (Retail) Hindustan Petroleum Corporation Limited, having its office at Lok Nayak Jai Prakash Bhawan, 6th Floor, Dak Bungalow Chowk, District- Patna.
3. The Senior Regional Manager (Retail) Hindustan Petroleum Corporation Limited, having its office at Lok Nayak Jai Prakash Bhawan, 6th Floor, Dak Bungalow Chowk, District Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Agrawal, Adv.

For the Respondent/s : Mr. Neeraj Kumar Gupta, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 13-09-2017

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

In the present case, the petitioner has secured highest marks, was declared as successful candidate and also L.O.I. has been issued in his favour but, the Company has refused to allow the petitioner to establish retail outlet on the ground that the Technical Committee of the Oil Corporation has granted '0' marks on account of the fact that it does not meet the N.H.A.I. specification. As it has been mentioned that the national highway is undivided and, by the side of proposed site, one private road, is used for movement of the vehicle and, it faces the national highway. Learned counsel for the petitioner



submits that the proposed site of the petitioner’s land is facing the national highway.

Counsel for the Corporation submits that it is against the norms of the N.H.A.I. but, from the sketch map, it appears that the land is just facing the national highway may be undivided national highway. As per N.H.A.I. norms, in undivided national highway, the proposed site, having road by the side, is impermissible as there is every possibility of an accident.

Let the Company should approach to the authorities of the N.H.A.I., if they have no objection for the establishment of the retail outlet, in such circumstances, the Corporation will consider his case and take action in accordance with law.

It is expected that the Corporation will wait till the matter is settled by the N.H.A.I.

Let the sketch map produced by the Corporation be kept on record for future reference.

With the aforementioned observation and direction, this application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
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