

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7849 of 2015

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Sobha Devi Wife of Rajesh Kumar, Resident of village- Tetaria (Khurd), Police Station and Post- Office -Barachatti, District- Gaya.

.... Petitioner/s

Versus

1. The Union of India through Secretary, Department of Ministry Petroleum, Govt. of India, New Delhi.
2. The General Manager (L.P.G.) Bharat Petroleum Corporation Ltd. Bharat Bhawan, 4 & 6 Currimbhai Road, Ballard Estate, Post Box No.688 ,Mumbai - 400001.
3. The Territory Manager ((L.P.G.) Bharat Petroleum Corporation Ltd.,Industrial Area, Fatuha, Patna.
4. The District Magistrate, Gaya
5. The Circle Officer, Barachatti, Gaya
6. Ankita Singh, daughter of Shyam Shakar Prasad Singh, Respondent of Quarter No. T S L 553, Baridih, Jamshedpur, Jharkhand State Pin Code 831017 at present residing at village- Tetaria (Khurd), Police Station and Post- Office- Barachatti, District-Gaya.

.... Respondent/s

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Appearance :

For the Petitioner	:	Mr. Suraj Nr. Yadav, Advocate Mr. Akhilesh Kumar, Advocate
For Respondent	:	Mr. Kankar Verma, Advocate Mr. Mukesh Kumar, Advocate Mr. Umesh Prakash, Advocate
For the State	:	Mr. Chandra Shekhar Singh, AC to GA-10
For Bharat Petroleum	:	Mr. Madhuresh Prasad, Advocate

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 06-02-2017

The present writ application in public interest has been filed against the grant of letter of intent and L.P.G. distributorship to Respondent No.6.

2. The ground of challenge is that the L.P.G. godown



has no independent access and that the access to reach the godown is through the land of the School situated in Plot No.303.

3. It has come on record that the petitioner has earlier filed C.W.J.C. No.3514 of 2013, which was decided on 4th of March, 2013 with the direction to Territory Manager (L.P.G.), Bharat Petroleum Corporation Ltd. Industrial Area, Fatuha, Patna to dispose of the representation. In terms of the said direction, the representation filed by the petitioner was decided on 7th of August, 2013 wherein, it has been, *inter alia*, mentioned that the distributorship has been granted after the N.O.C. was granted by Petroleum and Explosive Protection Organization, Government of India in terms of Gas Cylinders Rules, 2004. In respect of the site, it has been pointed out that such site has a passage as per the certificate issued by *Anchal Adhikari, Barachatti* vide letter dated 5th of June, 2013.

4. Still further, the condition of advertisement was that there should be a road to access the godown of the L.P.G. distributorship. Such access is verified by the *Anchal Adhikari*. The godown has been given N.O.C. by the Petroleum and Explosive Security Organization, therefore, it cannot be said that the authorities have not taken into consideration the pre condition factors for grant of N.O.C. Still further, there is no challenge to the communication



dated 7th August, 2013 (Annexure 11) rejecting the representation of the petitioner in the present petition.

5. In view thereof, we do not find any merit in the present public interest litigation. The same is dismissed.

(Hemant Gupta, ACJ)

(Sudhir Singh, J)

Narendra/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	07.02.2017
Transmission Date	

