

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5987 of 2016

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Narendra Kumar Sharma, Son of Late Kapildeo Kuer, Proprietor, M/s Nutan Gas Service, resident of Mohalla- K.N. Path, Lal Bazar, Bettiah, P.S.- Bettiah Town, District- West Champaran

.... Petitioner

Versus

1. The Union of India through the Secretary, Ministry of Petroleum and Gas, Government of India, New Delhi
2. The Indian Oil Corporation, through its Managing Director, Registered office at G-9, Ali Yawar Jang Marg, Bandra (East), Mumbai 400051
3. The General Manager, Indian Oil Corporation Ltd., Bihar State Office, Lok Nayak Bhawan, 5th Floor, Dak Banglow Chowk, Patna- 800001
4. The Area Manager, Indian Oil Corporation Ltd. (Marketing Division), 1st floor, Shahi Bhawan, Exhibition Road, Patna 800001

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.
Mrs. Rashmi Jha, Adv.
For the Indian Oil Corporation: Mr. Anil Kumar Sinha, Adv.
Mr. Amlesh Kumar Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT
Date: 13-09-2017

Heard the parties.

In this case, the petitioner is challenging the order containing memo no. PAO/MDG/Nutan Gas/01 dated 24.02.2016 and also order containing memo no. PAO/MDG/Nutan Gas/02 dated 24.02.2016, by which the respondent no.4 has inflicted penalty of Rs.89,218/- for irregularities which were found during inspection on 16.01.2016 and also imposed penalty of Rs.1,08,880/- for deliberate non-attendance of leakage of cylinders with respect to complain received on 02.02.2016.



Learned counsel for the Indian Oil Corporation has relied upon Clause-3.11.1 of the Marketing Discipline Guidelines, 2014 and submits that against the impugned order the remedy of appeal is provided within 30 days.

The time of 30 days has already been expired, but this Court directs the petitioner to file an appeal within three weeks from today. If such an appeal is filed by the petitioner within the aforesaid period, the appellate authority will consider the case of the petitioner on merit and dispose of the same within the period prescribed under the Marketing Discipline Guidelines, 2014.

With the aforesaid observations and directions, this writ application is disposed of.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
Uploading Date	15.09.2017
Transmission Date	N/A

