

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.17289 of 2017

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Bihar Kerosene Dealers Association through its President namely, Surendra Prasad, son of Late Ram Chandra Prasad, having registered office at Dhanki More, Kumhrar, P.O. Bahadurpur Housing Colony, P.S. Agam Kuan, District Patna, presently residing at village and P.S.Dighwara, District Saran.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food & Consumer Department, Govt. of Bihar, Old Secretariat, Patna.
2. Additional Secretary, Food & Consumer Department, Govt. of Bihar, Old Secretariat, Patna.
3. O.S.D. Food & Consumer Department, Govt. of Bihar, Old Secretariat, Patna.
4. Union of India through the Secretary, Ministry of Petroleum & Natural Gas, Shashtri Bhawan, New Delhi.
5. The Under Secretary, Government of India, Ministry of Petroleum & Natural Gas having its office at Shashtri Bhawan, New Delhi -110 001.
6. The Director General, Petroleum Planning & Analysis Cell, Scope Complex, Core-8, Lodhi Road, New Delhi 110 003.
7. The Director(S&P), Petroleum Planning Section, , Ministry of Petroleum & Natural Gas, Shashtri Bhawan, New Delhi 110 001.

.... Respondent/s

with

Civil Writ Jurisdiction Case No. 1546 of 2018

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Shankar Prasad Lohia, S/o Late Satyanarayan Prasad Lohia, Resident of Village- Patori, P.O. & P.S.- Patori, District- Samastipur & Proprietor of M/s Satyanarayan Prasad Shankar Prasad.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food & Consumer Protection Department, Government of Bihar, Old Secretariat, Patna.
2. The Special Secretary, Food & Consumer Protection Department, Government of Bihar, Old Secretariat, Patna.
3. The Additional Secretary, Food & Consumer Protection Department, Government of Bihar, Old Secretariat, Patna.
4. The Union of India through the Secretary, Ministry of Petroleum & Natural Gas, Shashtri Bhawan, New Delhi- 110001.
5. The Under Secretary, Government of India, Ministry of Petroleum & Natural Gas, Shashtri Bhawan, New Delhi- 110001.
6. The Director General, Petroleum Planning & Analysis Cell, Scope Complex, Core-8, Lodi Road, New Delhi- 110003.



7. The Director (S & P), Petroleum Planning Section, Ministry of Petroleum & Natural Gas, Shashtri Bhawan, New Delhi- 110001.
8. The Chairman-cum-Managing Director, Indian Oil Corporation having its registered Office at Indian Oil Bhawan, G-9, Ali Yavar Jung Marg, Bandra East, Mumbai 400051.
9. The General Manager, Indian Oil Corporation, 5th Floor Loknayak, Jaiprakash Bhawan, Dak Bunglow Road, Patna.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 1207 of 2018

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Lalit Mohan S/o Shri Panchanand Singh Resident of Village - Saripatti, P.S. - Bhagwanpur, Halt, District - Siwan & Proprietor of M/s Vindhya wasini Enterprises.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Food & Consumer Protection Department, Government of Bihar, Old Secretariat, Patna.
2. The Special Secretary, Food & Consumer Protection Department, Government of Bihar, Old Secretariat, Patna.
3. The Additional Secretary, Food & Consumer Protection Department, Government of Bihar, Old Secretariat, Patna.
4. The Union of India through the Secretary, Ministry of Petroleum & Natural Gas, Shastri Bhawan, New Delhi - 110001.
5. The Under Secretary, Government of India, Ministry of Petroleum & Natural Gas, Shastri Bhawan, New Delhi - 110001.
6. The Director General Petroleum Planning & Analysis Cell, Scope Complex, Core - 8, Lodi Road, New Delhi - 110003.
7. The Director (S & P), Petroleum Planning Section, Ministry of Petroleum & Natural Gas, Shastri Bhawan, New Delhi - 110001.
8. The Chairman-cum-Managing Director, Indian Oil Corporation having its registered office at Indian Oil Bhawan, G - 9, Ali Yavar Jung Marg, Bandra East, Mumbai 40051.
9. The General Manager, Indian Oil Corporation, 5th Floor Loknayak, Jaiprakash Bhawan, Dak Bunglow Road, Patna.

.... Respondent/s

with

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Civil Writ Jurisdiction Case No. 1698 of 2018

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Dilip Kumar Kedia Son of late Bishwanath Kedia Resident of Sonvarsha Raj, P.S.- Sonvarsha Raj, District- Saharsa.

.... Petitioner/s

Versus



1. The State of Bihar through the Principal Secretary, Food and Consumer Department, Government of Bihar, Old Secretariat, Patna.
2. Additional Secretary, Food and Consumer Department, Government of Bihar, Old Secretariat, Patna.
3. O.S.D., Food and Consumer Department, Government of Bihar, Old Secretariat, Patna.
4. Union of India, through the Secretary, Ministry of Petroleum & Natural Gas, Shastri Bhawan, New Delhi- 110001.
5. The Under Secretary, Government of India, Ministry of Petroleum & Natural Gas, having its office as Shastri Bhawan, New Delhi- 110001
6. The Director General, Petroleum Planning & Analysis Cell, Scope Complex, Core-8, Lodhi Road, New Delhi- 110003 null null
7. The Director (S & P), Petroleum Planning Section, Ministry of Petroleum & Natural Gas having its office at Shastri Bhawan, New Delhi- 110001
8. The Indian Oil Corporation through its Director Marketing, having its registered office at Indian Oil Bhawan, G-9, Ali Yavar Jung Marg, Bandra (East), Bombay-400051
9. The Indian Oil Corporation through its General Manager, Jay Prakash Narayan Bhawan, Dak Bunglow Choraha, Patna.

.... Respondent/s

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Appearance :

(In CWJC No.17289 of 2017)

For the Petitioner/s : Mr. Y.V.Giri, Sr, Advocate
Mr. Pranav Kumar, Advocate
For the Respondent/s : Mr. S.RAZA AHMAD -AAG5
Mr. Alok Ranjan, AC to AAG5
For the UOI : Mr. Anshuman Singh, Adv
For the HPCL : Mr. Rajeev Prakash, Adv
For the IOCL : Mr. Anil Kumar Jha, Sr. Advocate
Mr. Sanat Kumar Mishra, Adv
Mr. Anil Kumar Sinha, Adv

(In CWJC No.1546 of 2018)

For the Petitioner/s : Mrs. Namrata Mishra, Adv
For the Respondent/s : Mr. S.D SANJAY (ADDL. SOC. GEN.)
Mr. A.B.Mathur, CGC

(In CWJC No.1207 of 2018)

For the Petitioner/s : Mrs. Namrata Mishra, Adv
Mrs. Archana Jha, Adv
Mr. Chhotelal Mishra, Adv
For the Respondent/s : Mr. S.RAZA AHMAD -AAG5'
Mr. Alok Ranjan, AC to AAG5
For the UOI : Mr. S.D SANJAY (ADDL. SOC. GEN.)

(In CWJC No.1698 of 2018)

For the Petitioner/s : Mr. Bindhyachal Singh, Adv
Mr. Vipin Kumar Singh, Adv
For the Respondent/s : Mr. S. RAZA AHMAD- AAG5
Mr. Alok Ranjan, AC to AAG5

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL JUDGMENT
Date: 03-04-2018

These writ petitions have been taken up together for disposal with the consent of the parties as they involve common issue. The petitioners are aggrieved variously by the reduction of the quota of kerosene oil by the Government of India as well as by the action of the State Government voluntarily surrendering the kerosene oil from the quota so allotted by the Government of India under the Voluntary Deduction Scheme in order to earn incentive thereof, for the financial year 2017-18.

2. At the very outset learned counsel for the respondents raises a preliminary objection to the effect that these writ petitions have now become infructuous in view of the period for which the grievance has been made, namely, financial year 2017-18, which has already ended.

3. Learned counsel for the petitioners appear and have been heard.

4. This Court finds substance in the submission of the respondents. It is evident from a perusal of the relief sought in the various writ petitions that the thrust of the challenge has been made with respect to the financial year 2017-18 and for which facts and figures have been furnished in the writ petitions. The writ petitions are accordingly dismissed as infructuous.

5. It is however, made clear that this Court has not entered into the merits of the claims and contentions raised on behalf of the petitioners, which they shall be at liberty to raise for the appropriate period, if the nature of the grievance remains, if so advised.

(Vikash Jain, J)



Chandran/BT

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.04.2018
Transmission Date	NA

