

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12413 of 2013

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Mahesh Prasad Son Of Karu Mahto Resident Of Village - Bhaghar, Police Station - Barachatti, District - Gaya

... .. Petitioner/s

Versus

1. The Union Of India Through Secretary, Department Of Ministry Of Petroleum, Government Of India, New Delhi
2. General Manager (L.P.G.), Bharat Petroleum Corporation Ltd. Bharat Bhawan, 4 & 6, Currimbhair Road, Ballard Estate, Post Box No. 688, Mumbai - 400001
3. Territory Manager (L.P.G) Bharat Petroleum Corporation Ltd. Industrial Area, Fatuha, District - Patna
4. The State Of Bihar Through District Magistrate, Gaya
5. Circle Officer, Barachatti, Gaya
6. Ankita Singh Daughter Of Shyam Shankar Prasad Singh Mother'S Name Meera Devi Resident Of Quarter No. TSL - 553, Baridih, Jamshedpur, Jharkhand State , PIN - 831017

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 21244 of 2013

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Ameet Kumar Gupta Son Of Sri Rajendra Prasad Gupta Resident Of Village - Barachatti (Bara), Police Station and Post Office - Barachatti, Distt. - Gaya

... .. Petitioner/s

Versus

1. The Union Of India Through Secretary Department Of Ministry Of Petroleum, Govt. Of India, New Delhi
2. The General Manager (L.P.G.) Bharat Petroleum Corporation Ltd, Bharat Bhawan 4 and 6 Currimbhair 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 Territory Coordinator (LPG & Sales) Fatuha, Patna (Bihar)
5. The District Magistrate, Gaya
6. The Circle Officer, Barachatti, Gaya
7. Ankita Singh Daughter Of Shyam Shankar Prasad Singh Resident Of Quarter No.TSL 553, Baridih, Jamshedpur, Jharkhand State, PIN 831017

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 5415 of 2015



Ankita Singh daughter of Shyam Shankar Singh resident of village Tetaria.
Khurd , P.S. Barahchatti, Distt Gaya, proprietor of M/S. Ankita Bharat Gas
Gramin Vitrak.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary , Govt. of Bihar Patna
2. The Collector, Gaya.
3. The Sub-divisional Officer Sherghati Distt Gaya.
4. The Anchal Adhikari Barachatti Gaya.
5. The Territory Co-ordinator, Sales, Patna Bharat Petroleum Corporation Limited.
6. General Manager (L.P.G.) Bharat Petroleum Corporation Limited Bharat Bhavan ,4 & 6 ,Currimbhai Road Ballard Estate , Post Box No 688 Mumbai 400001.

... .. Respondent/s

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Appearance :

(In Civil Writ Jurisdiction Case No. 12413 of 2013)

For the Petitioner/s : Mr. Nikhilesh Kumar,Adv

For the Respondent/s : Mr. Anjani Kr Sharan, Adv

(In Civil Writ Jurisdiction Case No. 21244 of 2013)

For the Petitioner/s : Mr. Binod Kumar Sinha, Adv

For the Respondent/s : Mr. Manikant Mishra, Adv

(In Civil Writ Jurisdiction Case No. 5415 of 2015)

For the Petitioner/s : Mr. Mukesh Kumar No-1,Adv

For the Respondent/s : Mr. Harish Kumar- GP32

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date : 03-12-2018

All these writ petitions involve inter-connected issues whereby the petitioners of the first two writ petitions(hereinafter referred to as the first and second petitioners respectively) are aggrieved by the allotment of LPG distributorship in favour of the petitioner of the third writ petition (the third petitioner, for convenience).

2. Without going into the detailed merits of the matter,



this Court takes note only of the foundational facts to the effect that pursuant to orders of this Court in CWJC No. 20590 of 2013 (Rajesh Choudhary vs. The State of Bihar & Ors.) the matter of genuineness of the residential certificate of the third writ petitioner came to be tested and by order passed under memo no. 441 dated 21.08.2014 (Annexure-4) the residential certificate of the third writ petitioner came to be cancelled by the Circle Officer, Barachatti. The matter was taken further before the Sub Divisional Officer, Sherghati, Gaya, who by memo no. 1417 dated 26.12.2014 (Annexure-6) passed order directing that the order of the Circle Officer dated 21.08.2014 be kept in abeyance. Thereafter a further order was passed by the Sub Divisional Officer, Sherghati under memo no. 475 dated 17.06.2017 (Annexure-7), *inter alia*, finding that a forged document by way of acknowledgment of Income Tax Return had been submitted by the third writ petitioner for the purpose of residential certificate. Accordingly, the earlier order directing the order of the Circle Officer to be kept in abeyance came to be vacated.

3. Despite the order dated 17.06.2017 having been passed by the Sub Divisional Officer in some detail, yet as



submitted on behalf of the third writ petitioner, there is nothing in the order to indicate that apart from vacating the interim stay, the matter has been finally disposed of.

4. With a view to remove any ambiguity and with the consent of the parties, the writ petitions are disposed of with a direction to the Sub Divisional Officer, Sherghati, Gaya to pass a final order in the matter expeditiously and preferably within a period of four weeks from the date of receipt/production of a copy of this judgment.

5. Needless to say, it will be open to any of the parties to approach the respondent-Corporation pursuant to final order being passed by the Sub Divisional Officer, Sherghati, Gaya.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	13.12.2018
Transmission Date	NA

