

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3532 of 2018

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M/s Laxmi Petroleum, located at Village Neuri, P.S.- Biraul, District- Darbhanga through its proprietor Laxmijha, W/o Shri Rajaram Jha, Resident of Village- Mahinam, P.S.- Bahera, District- Darbhanga.

.... Petitioner

Versus

1. Indian Oil Corporation through the Executive Director, Bihar Sales Office of the Indian Oil Corporation Ltd., Lok Nayak Jay Prakash Bhawan, Patna.
2. Executive Director, Bihar Sales Office of the Indian Oil Corporation, Lok Nayak Jay Prakash Bhawan, Patna.
3. Chief Divisional Retail Sales Manager, Muzaffarpur Divisional Office, Muzaffarpur.
4. Divisional General Manager (RC), Indian Oil Corporation, Barauni Terminal, Barauni.
5. Chief Manager (Operation), Bihar Sales Office of the Indian Oil Corporation, Lok Nayak Jay Prakash Bhawan, Patna.
6. Area Manager, (Retail Sales), Retail Sales Area of the Indian Oil Corporation, Darbhanga.

.... Respondents

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Appearance :

For the Petitioner : Mr. Baidya Nath Thakur, Advocate.
For the Respondents : Mr. Anil Kumar Sinha
Mr. Yash Mathur
Ms. Nisha Kumari, Advocates.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 27-02-2018

The matter has been listed out of turn on the request of learned counsel for the petitioner stating that the tank truck of the petitioner would not be used by the respondent-Corporation after 28.02.2018 and the writ petition would become infructuous.

2. The petitioner seeks a direction upon the Executive Director, Bihar Sales Office of the Indian Oil Corporation, Patna to permit the petitioner to use its own tank truck bearing Registration No.



BR 9F 6454 for transportation of petrol/ diesel from IOC depot of Barauni Terminal to the petitioner's retail outlet unhindered in view of the recommendation contained in letter dated 13.02.2018 of the respondents 3, 4 and 6.

3. Learned counsel for the petitioner submits that despite recommendation for allowing the tank truck of the petitioner's retail outlet to get added in new transport contract for transportation of own loading only, the matter is pending for further processing at the higher levels of the Corporation.

4. Learned counsel for the respondent-Corporation appears and has been heard. He opposes the writ petition stating that expression of interest was called for from the dealer-transporters but the petitioner never participated in the same. In that view of the matter, the quantities of petroleum products to be transported has already been assessed with reference to the transporters.

5. In any view of the matter and having regard to the nature of the grievances of the petitioner, this Court is of the view that interests of justice would be served if the petitioner is granted liberty to represent before the Executive Director, Bihar Sales Office of the Indian Oil Corporation Ltd., Lok Nayak Jay Prakash Bhawan, Patna (respondent no. 2) for redressal of its grievances. Such representation would be dealt with and disposed of on its own merits.

6. The writ petition stands disposed of.



(Vikash Jain, J)

Md. Ibrarul/Chandran

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	28.02.2018
Transmission Date	N.A.

