

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1094 of 2017

In

Civil Writ Jurisdiction Case No. 18922 of 2013

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Dinesh Kumar Gupta Son of late Aditya Prasad Gupta Resident of Village
+Post Office and Police Station- Laukahi, District- Madhubani.

.... Appellant/s

Versus

1. Bharat Petroleum Corporation Ltd. through , Territory Manager (L.P.G.)
Fatuha Insustrial Area, P.O. +P.S. - Fatuha, District- Patna.
2. Territory Manager (L.P.G.), Bharat Petroleum Corporation Ltd., Fatuha
Industrial Area, P.O. +P.S. - Fatuha, District- Patna.
3. Renu Yadav Wife of Satyendra Yadav Resident of Village- Singrahi,
Police Station- Laukahi, District- Madhubani.
4. Sangita Devi Wife of Bharat Prasad Gupta Resident of Village- Atari,
Maharajganj, Police Station- Laukahi, District- Madhubani.
5. The State of Bihar through the District Magistrate, Madhubani.
6. The District Magistrate, Madhubani.
7. The Sub Divisional Officer, Phulparas, District Madhubani.
8. The Circle Officer, Block- Laukahi, District- Madhubani.

.... Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Dhurendra Kumar, Adv.
For the B.P.C.L.		Mr. Siddhartha Prasad, Adv.
		Mr. Om Prakash Kumar, Adv.
For the State		Mr. Vishwambhar Prasad, AC to AAG-5

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR
TRIPATHI**

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

5 17-04-2018 Heard counsel for the appellant, counsel for the
respondent no. 3 as well as counsel for the B.P.C.L. and the State.

Since writ application of the appellant was dismissed



by the learned Single Judge vide order dated 04.07.2017, Letters Patent Appeal has been preferred.

The learned Single Judge has found that the allegation that respondent no. 3 was not resident of the area, for which the retail outlet in question was proposed to be setup, was not found to be correct. The Circle Officer found respondent no. 3 to be resident. He made recommendations. The District Magistrate Madhubani accepted the said position and communicated the finding to B.P.C.L. who, in turn, have issued the letter of intent and the retail outlet has been made functional now.

In absence of any authentic evidence and material clinching in nature, which could substantiate the allegation made by the petitioner, no option was left to the learned Single Judge but to dismiss the writ application. The said order does not suffer from any infirmity.

Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Rajesh/Devendra

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