

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8526 of 2019

Ashok Kumar S/o Late Bindeshwari Prasad Sinha, aged about 56 years (Male), Resident of House No.4, Mohalla Baluahi, Ward No.24, P.O. Mukhya Dakghar, P.S. and District- Khagaria.

... .. Petitioner/s

Versus

1. The Bharat Petroleum Corporation Ltd. LPG Business Head Quarters, Bharat Bhavan, 4 and 6 Currimbhoy Road, Ballard Estate, Mumbai- 400001.
2. The State Head (LPG), Bihar, Bharat Petroleum Corporation Ltd., Exhibition Road, Patna.
3. The Territory Manager (LPG), Bharat Petroleum Corporation Ltd., Muzaffarpur LPG Territory, Village- Sherpur, near Narayanpur Railway Station on NH 28, P.O. MCI, Bela, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Ranjan, Advocate
For the BPCL : Mr.Siddhartha Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-10-2019 In view of the statements made on behalf of the respondent Bharat Petroleum Corporation Limited that they are ready to consider the reconstitution of the firm and for that purpose they have written letter dated 30.04.2018 which is part of Annexure '15' to the writ application, this writ application is being disposed off.

The petitioner is given liberty to either make available the required document in terms of letter dated 30.04.2018 or to raise all such pleas which are available to them before the concerned authority who will consider the issues raised by the petitioner and shall pass an appropriate order. Learned counsel



for the petitioner submitted that all such pleas have been raised on behalf of the petitioner but those are still pending consideration as no final view has been taken by the respondent authorities and they are still insisting for NOC from other legal heirs. Learned counsel has also relied upon Clause 3.6 of the detail guidelines for reconstitution of the LPG Distribution 2018 (Annexure 16 to the writ application).

Learned counsel for the respondent submits that the competent authority will look into the submissions of the petitioner and shall take an appropriate decision thereon within a reasonable time.

The writ application is disposed off accordingly with a direction to the competent authority of the Bharat Petroleum Corporation Limited to look into the submissions of the petitioner, consider the same and take an appropriate view of the matter and if in terms of the policy guidelines reconstitution may be allowed in favour of the petitioner, the same may be permitted after hearing all concerned.

Let the whole exercise be completed within a period of three months from the date of receipt/production of a copy of this order.

Till final decision is taken by the competent authority



the supplies to the distributor shall be continued.

The petitioner, if so desire, may file a fresh submission before the competent authority.

(Rajeev Ranjan Prasad, J)

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