

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11686 of 2018

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Amit Kumar son of Shri Nand Kishore Prasad, resident of Village- Dusturpur,
P.S & P.O.- Chandi, Dist.- Nalanda- 803108.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Road Construction Department, Government of Bihar, Patna
2. Engineer-in-Chief-cum-Additional Commissioner-cum-Special Secretary, Road Construction Department, Government of Bihar, Patna,
3. Chief Engineer, South Bihar, Road Construction Department, Patna.
4. The Executive Engineer, Hilsa, Nalanda, Road Division, Road Construction Department, Nalanda.
5. The Assistant Engineer, Road Division, Chandi, Dist.- Nalanda.
6. The Collector, Nalanda.
7. The Deputy Collector in Charge, General Administration Department, Nalanda.
8. Indian Oil Corporation Limited represented through its Chief Divisional Manager, Block-A, Mauryalok Complex, 3rd Floor, Dakbunglaw Road, Patna
9. The Chief Divisional Retail Sales Manager, Indian Oil Corporation Limited, Block-A, Mauryalok Complex, 3rd Floor, Dakbunglaw Road, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajeev Kumar, Advocate
For the State	:	Mr. Ravi Bharadwaj, AC to GA-13
For the Respondent Nos. 8 & 9	:	Mr. Amlesh Kumar Verma, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 23-05-2019

Heard learned counsel for the parties.

This petition has been filed for a direction to the

respondent authorities to issue a "no objection

certificate" in the name of the petitioner which is

required for opening a retail outlet of petrol pump at



Gokhulpur in the District of Nalanda.

It has been submitted on behalf of the petitioner that he has already deposited the requisite amount and other necessary documents but for no apparent reason, such certificate has not been issued to him. It has further been urged on behalf of the petitioner that he is the only known eligible candidate who has applied against the advertisement for being selected as a dealer of petrol.

The attention of this Court has been drawn to a communication made by the Chief Engineer, South Bihar Region to the Executive Engineer, Road Division, Hilsa asking him to make a spot verification and specify whether the land of the petitioner over which the retail outlet is to be opened is within the parameters of the distance from the intersection with the rural roads. The aforesaid communication was made to the Executive Engineer on 20.03.2018, which report has not yet been furnished by the concerned Executive Engineer. Pending



such report, "no objection certificate" has not been given to the petitioner.

Under the aforesaid circumstances, the petitioner is directed to make a representation before the Executive Engineer, Hilsa, Road Division, Road Construction Department, Nalanda (respondent No. 4), making a request to him to clarify whether the land of the petitioner is situated at a proper distance from the intersection of the rural roads and submit that report to the respondent authorities for issuance of "no objection certificate". On such representation being made by the petitioner within a period of six weeks from today, the concerned respondent shall look into the matter, verify the records, make necessary assessment and report about the same to the concerned respondent within a further period of four weeks thereafter. Should the concerned respondent not respond positively, it would be open for the petitioner to approach the Chief Engineer, South Bihar, Road Construction Department, Patna and



apprise him that only because of such report not being sent by the Executive Engineer, there has occasioned a great delay in handing over the “no objection certificate” which has in fact marred the possibility of the petitioner being selected as a retail outlet licensee.

With the aforesaid observation/direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	27/05/2019

