

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.25230 of 2019

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Bhrigu Nath Singh, aged about 65 years, male, Son of late Ram Dular Singh,
R/o Anand Bazar (Khatal), Danapur Cant, District- Patna.

... .. Petitioner/s

Versus

1. General Manager, IOC Limited, Jaiprakash Bhawan, Dak Bungla, Patna.
2. The Senior Area Manager, Indane Area Officer, Indian Oil Corporation Ltd.,
Ist Floor, Shahi Bhawan, Exhibition Road, Patna.
3. Controller of Explosive, Petroleum and Explosive Safety Organization
(PESO), 4th Floor, F- Wing, Karpuri Thakur Sadan, Kendriya Karmchari
Parishad, Ashiana Digha Road, Patna.
4. Sri Raju Kumar Singh, Son of Sri Dina Nath Singh, Village and Post-
Masrak, District- Saran.
5. DGM (LPG-S), I.O.C., Exhibition Road, Police Station-Gandhi Maidan,
Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sarvadeo Singh, Adv.
For the Respondent/IOC : Mr. K.D. Chatterji, Sr. Adv.
Mr. Amlesh Kumar Varma, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 17-12-2019

Heard Mr. Sarvadeo Singh, learned Advocate
for the petitioner and Mr. K.D. Chatterji, learned senior
Advocate for the Indian Oil Corporation (respondent Nos.



1 & 2).

2. Since this case has been heard for the first time, no notice has been issued to respondent Nos. 3, 4 and 5.

3. The petitioner has approached this Court for quashing of the letter dated 21.06.2018 by which the complaint made by the petitioner has been rejected but allegedly without consideration of the materials placed before the respondents in the aforesaid complaint.

4. It has been submitted that the investigation on the complaint by the petitioner has been done in a perfunctory manner and no consideration has been accorded to the real issues in the complaint.

5. From the perusal of the communication dated 21.06.2018, it appears that five complaints were lodged against the concessionaire of respondent Nos. 1 and 2, who has constructed an L.P.G. godown in Village-Mashrak in the District of Saran. The complaints appear to have been dealt with in quite detail. The aforesaid communication further indicates that some of the



complaints were required to be dealt with by other authorities and, therefore, the Indian Oil Corporation would not have anything to say regarding such complaints.

6. With respect to the other complaints, it was found out by the Investigating Officer that there is a land dispute between the distributor and the petitioner. The other complaints which were looked into revealed that the L.P.G. godown of M/s. Bhawani Shankar Indane, Mashrak had been constructed on plot No. 6586, khata No. 957 in the District of Saran and the allegations against such distributor was not at all substantiated during investigation.

7. This Court has assayed at the aforesaid communication, but does not consider it appropriate to make any interference with the same.

8. On the pointed question being asked by the petitioner about his locus, the response is that the L.P.G. godown has been constructed on the land which has been leased by the petitioner to the aforesaid dealer, which he now wants to take back.



9. The petitioner would have several opportunities and forums to agitate for the aforesaid relief.

10. This Court but, even if there is some truth in the allegation, cannot direct the respondents to cancel the allotment of the licence to run the godown of L.P.G. on such complaints.

11. Learned counsel for the petitioner has also shown to this Court some communications by the District Magistrate-Cum-Collector and the authorities under the Explosive Act, who have not taken cognizance of the complaints lodged by the petitioner against the dealer.

12. The petitioner, it is reiterated, shall have ample opportunities to assail such orders. This forum of law cannot but be permitted to be used as a field to operate in for settling the private disputes.

13. No *mandamus* can be issued to the respondents for executing the prayer made in this writ petition. The petition has no merits and is, accordingly, dismissed.

14. The dismissal of the writ petition,



however, will not prevent the petitioner from availing of
the remedies under the law.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
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