

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3057 of 2020

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Tanweer Ahmad S/o Shri Naqui Ahmad Resident of Village- Muria, P.O.- Muria, P.S.- Sadar (Bhalpatti O.P.) District- Darbhanga, Proprietor of M/s Muria HP Gas Gramin Vitrak, Muria, District- Darbhanga, Bihar- 847115.

... .. Petitioner/s

Versus

1. M/s Hindustan Petroleum Corporation Limited through its Chairman-cum-Managing Director, 17, Jamshedji Tata Road, Mumbai-400020.
2. The Chief Regional Manager Purnea L.P.G. Regional Office, Hindustan Petroleum Corporation Limited, Industrial Growth Centre, Manager, Purnea-854301.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ratnesh Kumar Singh
For the Respondent/s : Mr.Sanjay Kumar Mishra

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 27-02-2020 Initially, the present writ petition was filed seeking the following relief:-

“That this is an application for issuance of appropriate writ or writs, order or direction for restraining the Respondents from proceeding ahead in furtherance of show cause notices issued by the Respondent No. 2 by letter vide Ref: PULRO/TRS/SCN dated 06.09.2019 and letter vide Ref. PULRO/TRS/SCN dated 31.10.2019, proposing termination of LPG Dealership Agreement of M/s Muria



HP Gas Gramin Vitrak, Muria, Darbhanga, for alleged violation of the terms & conditions of H.P. Gas (LPG) Dealership Agreement dated 30.08.2014, and for a direction to the Respondents to refer the matter for Arbitration in view of the Clause 38 of the H.P.Gas (LPG) Dealership Agreement dated 30.08.2014 with a further direction to resume supply of LPG Cyclinders to M/s Muria HP Gas Gramin Vitrak, Muria, Darbhanga, till the period of Arbitration Award passed by Sole Arbitrator appointed as per the terms of Agreement.”

During the pendency of the present writ petition, the LPG dealership of the petitioner has been terminated by an order dated 1.2.2020 passed by the Hindustan Petroleum Corporation Ltd.

The learned counsel for the petitioner has submitted that a bare perusal of the order of termination would show that the infliction of punishment of termination of the dealership of the petitioner is harsh and not commensurate to the allegations



levelled against the petitioner, hence, he be granted liberty to approach the Chairman, Hindustan Petroleum Corporation Ltd. by filing appropriate representation for reconsideration of the decision of termination of the dealership in question.

Having regard to the facts and circumstances of the case, I deem it fit and proper to grant liberty to the petitioner to file appropriate representation before the Chairman, Hindustan Petroleum Corporation Ltd. and in case, such a representation is filed within a period of four weeks from today, the same shall be considered by the learned Chairman, Hindustan Petroleum Corporation Ltd. and appropriate reasoned order shall be passed taking an equitable view especially considering the fact that the petitioner has been running LGP dealership since the year 2014, without any major complaints.

The writ petition stands disposed of on the aforesaid terms.

(Mohit Kumar Shah, J)

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