

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9418 of 2019

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Aasha Rajak, W/o Anant Baitha Resident of Village-Bulakipur, P.O.-
Pokharbhinda, P.S.-Riga Distt.-Sitamarhi.

... .. Petitioner/s

Versus

1. The Hindustan Petroleum Corporation Ltd. 17, Jamshedji Tata Road, Mumbai, through its Chief Regional Manager, Bihar at Patna.
2. The Chief Regional Manager, (Patna Regional Office), Hindustan Petroleum Corporation Ltd. L.P.G. Region Office, 6th floor, Lok Nayak Jayprakash Bhawan, Dakbunglow Chowk, Patna-800001
3. The Regional Manager, (Patna Regional Office) Hindustan Petroleum Corporation Ltd. L.P.G. Region Office, 6th floor, Lok Nayak Jayprakash Bhawan, Dakbunglow Chowk, Patna-800001.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mahendra Thakur

For the Respondent/s : Mr.Neeraj Kumar Gupta

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 25-02-2020

Let the last line of paragraph 2 of page 3 of the
order dated 13.02.2020 be corrected to the extent that
"has also would have been created" be read as ***"also
may have been created"***.



The corrected copy of the order be uploaded forthwith.

The learned counsel for the respondent / HPCL has informed this Court that no agreement has been entered into with any applicant for the dealership in question.

It may be recounted that the land offered by the petitioner for the purposes of obtaining dealership license was not found to be suitable on the ostensible reason that two plots of land, one for the shop and the other for the godown, have been obtained from two different lessors.

The contention of the petitioner is that under the guidelines for selection of dealers, there is no such requirement that a dealer has to offer land which is procured from a single lessor.

In that view of the matter, the decision of the respondent / HPCL does not appear to be correct.

It may also be noted that the petitioner learnt about such rejection only by way of an intimation to him,



but the order of rejection of the claim of the petitioner has not been brought on record.

This Court had, on 13.02.2020, directed either of the parties to bring such letter on record, which unfortunately has not been brought on record.

Learned counsel appearing for the HPCL submits that such order has not at all been passed.

Considering the afore-noted statement made on behalf of HPCL, this Court directs that on the petitioner making a suitable representation before the Chief Regional Manager (Patna Regional Office), Hindustan Petroleum Corporation Ltd. (Respondent No. 2) along with a copy of this order within a period of one week, a decision shall be taken by a reasoned order, which shall be communicated to the petitioner forthwith.

Before taking any decision on the representation of the petitioner, the contract shall not be concluded with any party.



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

(Ashutosh Kumar, J)

skm/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	26.02.2020
Transmission Date	

