

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5259 of 2021

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Smt. Priti Kala, Wife of Rajiv Kumar Resident of village/Mohalla- Sri Nagar
Colony, Gobarsahi, Police Station- Sadar, District- Muzaffarpur

... .. Petitioner/s

Versus

1. The Union of India through the Secretary Ministry of Natural Gas and Petroleum Department through the Secretary, Ministry of Natural Gas and Petroleum Department, New Delhi
2. The Hindustan Petroleum Corporation Ltd. (IPCL) through its General Manager, Jamshedji Tata Rod, Mumbai-400020
3. The Senior Divisional Retail Sales Manager, Regional Office, 2nd Floor Raghunath Palace, Har Har Mahadeo Chowk, NH-31, District- Begusarai
4. The Senior Manager (Vigilance) Hindustan Petroleum Corporation Ltd., Dakbunglow Chauraha, Patna-800001
5. The Regional Dy. General Manager, Regional Office, HPCL Retail, 2nd Floor, Raghunath Palace, Harhar Mahadeo Chawk, N.H.-31, District- Begusarai, Bihar-851101
6. The State of Bihar through the Collector-cum-District Magistrate, Muzaffarpur
7. The Block Development Officer, Paroo, Muzaffarpur

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar @ Vijay Kr. Singh, Advocate
For the Respondent/s	:	Dr. K.N. Singh, ASG
		Mr. S. Raza Ahmad, AAG-5
		Mr. Alok Ranjan, AC to AAG-5

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 22-12-2021

Heard learned counsel for the parties.

The petitioner has prayed for the following relief/s :-



1. That the present application is being filed for issuance of an appropriate writ/writs, order/orders, direction/directions towards cancellation of the selection for Dealership allotment for the Location Sl. No. 576 "Mile Stone 31, within 1 Km. from Mangurahiya Chowk towards Deoria near Village Tarwa Majhauria in Paru Block, District-Muzaffarpur " after proper verification and conducting enquiry by a neutral agency in terms of published criteria of the Tender as the same has been allotted under partiality and thereafter the petitioner be selected for the same as the petitioner possess with all eligible criteria in terms of the Tender published by the authority concerned whereas the authorities have selected the candidate who does not possess with the eligible criteria. Further for relief/reliefs for which the petitioner entitle under the facts and circumstances of the case.

After the matter was heard for some time, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and



preferably within a period of three months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of in the following terms:-

(a) Petitioner shall approach the authority concerned within a period of four weeks from today by filing a representation for redressal of grievance(s);

(b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of three months from the date of its filing along with a copy of this order;

(c) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;

(d) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;

(e) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;



(f) Liberty reserved to the petitioner to approach the Court, if the need so arises subsequently on the same and subsequent cause of action;

(g) We have not expressed any opinion on merits. All issues are left open;

(h) We expect that the appropriate authority shall consider and decide the petitioner's application expeditiously and preferably within a period of three months from the date of the its presentation; and

(i) While considering such representation, the period for which the petitioner has been pursuing the present petition shall not be counted for the purposes of limitation.

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, stands disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

Ashwini/Sujit

AFR/NAFR	
CAV DATE	
Uploading Date	23.12.2021
Transmission Date	

