

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4347 of 2021

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Shankar Uranw, Son of Lutharu Uranw, Resident of Village - Gamhariya,
Police Station- Manpur, District - West Champaran.

... .. Petitioner/s

Versus

1. The Chairman, Indian Oil Corporation Ltd, 3079/03, J.B. TiTO Marg, Sadique Nagar, New Delhi.
2. The Executive Director, Indian Oil Corporation Ltd, Marketing Division, Eastern Region Office, Indian Oil Bhawan, Dhakuria, Kolkata.
3. The Executive Director (LPG), Indian Oil Corporation Ltd, Lok Nayak Jay Prakash Bhawan Dakbungalow Road, Patna.
4. The Deputy General Manager (LPG-S), Indian Area Office, Patna Indian Oil Corporation Ltd, First Floor Shahi Bhawan, Exhibition Road, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jagdish Prasad Singh, Advocate
For the Respondent/s	:	Mr. Sanat Kumar Mishra, Advocate

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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.

Petitioner has prayed for the following relief(s):-

“(i) For setting aside of letter bearing PAT/FVC/GAMHARIA dated 13.10.2020 issued under the signature of Dy. General Manager (L.P.G.-S) Indian Area Office, Patna whereby and whereunder petitioner has been informed that petitioner’s application for award of LPG distributorships at Gamharia, District- West Champaran is rejected for want of FVC fees alleging inter alia. Petitioner was informed through registered mail dated 11.09.2020 and 19.09.2020 for depositing of 10% Security deposit i.e. Rs. 40,000/- but not

deposited, though such mail or information through other mode has not been given to petitioner.

(II) An appropriate direction be issued directing the Respondents to fix any suitable date for depositing FVC fee and inform accordingly enabling the petitioner to deposit the same for further action.

(III) Any other appropriate writ or direction may be issued which may be applicable in the facts and circumstances of the case.”

After the matter was heard for some time, learned counsel appearing on behalf of the petitioner, under instructions, states that petitioner may be permitted to prefer an appeal against the impugned order before the Appellate Authority.

Permission granted.

Learned counsel for the respondents states that if such an appeal is preferred within a period of four weeks from today, the issue of limitation, if any, shall neither be raised nor allowed to come in the way of adjudication of the appeal on merits.

Statement accepted and taken on record.

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

(a) Petitioner is permitted to prefer an appeal within a period of four weeks from today;

(b) In the event of appeal being preferred within a period of four weeks from today, the issue of limitation shall not

come in the way of adjudication of the appeal on merits;

(c) Opportunity shall be granted to the parties to place on record all essential documents and materials, if so required and desired;

(d) Petitioner through learned counsel undertakes to fully cooperate and not take unnecessary adjournment;

(e) The Appellate Authority shall decide the appeal on merits, in compliance of the principles of natural justice;

(f) The Appellate Authority shall pass a reasoned and speaking order, within a period of eight weeks from the date of filing of the appeal;

(g) Copy of the reasoned and speaking order passed by the Appellate Authority shall be supplied to the parties;

(h) Equally, liberty reserved to the parties to take recourse to such other remedies as are otherwise available in accordance with law;

(i) 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;

(j) We have not expressed any opinion on merits and all issues are left open;

(k) Liberty reserved to the petitioner to challenge the order, before the appropriate forum, if required and desired.

The instant petition sands disposed of in the aforesaid terms.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/rajiv-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	