

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5729 of 2020

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Vijay Kumar Nayak S/o Ram Autaar Nayak R/o - Narayanpur Bazar, P.S.-
Manigachhi, District- Darbhanga.

... .. Petitioner/s

Versus

1. The Bharat Petroleum Corporation Limited Through its Managing Director, Bharat Petroleum Corporation Ltd., registered office- Bharat Bhawan, 4 and 6, Currimbhoy Road, Ballard Estate, Post Box No.-688, Mumbai- 400001.
2. The Managing Director Bharat Petroleum Corporation Ltd., registered office- Bharat Bhawan, 4 and 6, Currimbhoy Road, Ballard Estate, Post Box No.-688, Mumbai- 400001.
3. The Territory Manager, (LPG), Muzzafarpur, Bharat Petroleum Corporation Limited.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. P.K. Shahi, Sr. Advocate
		Mr.Ran Vijay Kumar, Advocate
For the Respondent/s	:	Mr.Sanjay Singh, Sr. Advocate

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

Date : 22-11-2021

Petitioner has prayed for the following relief(s):

- “(i) For issuance of appropriate writ(s)/order(s)/direction(s) for quashing the impugned decision vide LPG.ER.MUP.RAGHOPUR (OPEN) 2019-20 dated 27.01.2020 issued by Territory Manager (LPG) Muzaffarpur (Respondent No. 3) whereby and whereunder the candidature of the petitioner has been rejected on the ground that; same land i.e. khasra no. 4393 & 4394 offered by the



petitioner as well as another candidate namely Savita Nayak for the same location.

- (ii) For issuance of appropriate writ(s)/order(s)/direction(s) commanding the respondents to issue Letter of Intent in favour of the petitioner forthwith.
- (iii) For further directing the concerned respondent authority not to initiate fresh draw of lots till the disposal of the present writ application.
- (iv) For any other necessary relief/reliefs to which the petitioner may be found entitled to in the facts and circumstances of the case.”

Under instructions, Shri Ran Vijay Kumar, learned counsel for the petitioner, submits that the petitioner be permitted to approach Respondent No. 3, namely The Territory Manager, (LPG), Muzaffarpur, Bharat Petroleum Corporation Limited, appraising of the averments made in paragraph Nos. 18, 19 and 20 of the petition, with liberty to approach the Court/appropriate authority on the same and subsequent cause of action, should the need so arise.

Shri Sanjay Singh, learned Senior Counsel for the respondents, has no objection to the said prayer.

Prayer allowed. Liberty, as prayed for, is granted.

Petition is disposed of on the following mutually agreeable terms:

- (a) Petitioner shall approach Respondent No. 3,



namely The Territory Manager, (LPG), Muzaffarpur, Bharat Petroleum Corporation Limited placing on record all documents in his favour;

(b) The said authority shall take a decision thereupon expeditiously, preferably within a period of four months.

(c) Parties shall appear before the said authority on 06.12.2021 at 10:30 a.m.

(d) While considering such request, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

Needless to state that the appropriate authority shall take a decision uninfluenced of the order passed earlier, subject-matter of the present petition.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/DKS/-

AFR/NAFR	
CAV DATE	
Uploading Date	24.11.2021
Transmission Date	

