

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.6707 of 2020**

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Akhilesh Kumar, S/o Ram Heran Mishra, R/o Flat No. 238, Sector 14, Pocket B, MIG Kautilya Apartment, Dwarka, N.S.I.T., P.S.-N.S.I.T., Dwarka, Dwarka, South West Delhi, Delhi-110078.

... .. Petitioner/s

Versus

1. The Chairman, Bharat Petroleum Corporation Ltd. having its registered office at Bharat Bhawan, 4 and 6, Currimbhoy Road, Ballard Estate, Post Box No. 688, Mumbai-400001.
2. The General Manager, Bharat Petroleum Corporation Ltd., having its registered office at Bharat Bhawan, 4 and 6, Currimbhoy Road, Ballard Estate, Post Box No. 688, Mumbai-400001.
3. Area Marketing Manager, Bharat Petroleum Corporation Limited, 3rd Floor, Ashiyana Chamber, Exhibition Road, Patna, Bihar-800001.
4. Head of Territory Head, T M Retail, Muzaffarpur POL Depot, Village-Sherpur, Near Narayanpur Anant Railway Station, P.O.-MIC Bela, District-Muzaffarpur-842005.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Ranjan Kumar Srivastava, Advocate  
For the Respondent/s :

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

**Date : 15-11-2021**

Petitioner has prayed for the following relief(s):

- (A) A writ in the nature of Certiorari or any other appropriate writ/s, order/s direction/s quashing the following:
- (i) The e-mail dated 10.04.2019 (hereinafter also referred to as 'impugned order' or 'impugned e-mail') whereby, land offered by the Petitioner for RO dealership has been declared not suitable by the Respondent No. 4 without issuance of show cause or any valid reason.



(B) A writ in the nature of mandamus or any other appropriate writ/s, order/s direction/s for the following reliefs:

(i) To direct the Respondent for giving award of Ro Dealership at between Chhapra Chowk and Harirampur Chowk on LHS on NH - 77 District - Muzaffarpur under open category advertised on 25.11.2018

(ii) To call for all the records of Land Evaluation committee showing the procedure followed by the Respondent authorities for declaring the land offered by the Petitioner to be not meeting the prescribed requirements of norms.

(iii) To restrain the respondent authorities from awarding/appointing of Retail Outlet dealership at between Chhapra Chowk and Harirampur Chowk on LHS on NH - 77 District - Muzaffarpur under open category to any other person till disposal of the instant case.

(iv) To stay the operation of e-mail dated 10.04.2019 whereby, land offered by the Petitioner has been declared not suitable by Respondent No. 4.



(C) To any other relief/s to which the petitioner is found entitled to.

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 the 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 the 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 of



the matter. All issues are left open;

The petition stands disposed of in the aforesaid terms.

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

**(Sanjay Karol, CJ)**

**( S. Kumar, J)**

Sujit/Sanjay

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