

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7215 of 2020

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Rajiv Ranjan Rai Son of Late Satendra Rai, Resident of Village-Maruan,
Police Station-Dinara, District-Rohtas (Sasaram).

... .. Petitioner/s

Versus

1. The Union of India through Secretary, Ministry of Petroleum and Natural Gas, New Delhi.
2. Chairman and Managing Director, Bharat Petroleum Corporation Limited, Bharat Bhawan 4 and 6 Currimbhoy Road, Balard Estate, Mumbai-400001.
3. The Territory Manager, Bharat Petroleum Corporation Limited, At Pakari, Via Anisabad, Patna-800002.
4. The Assistant General Manager (A.G.M.), Bharat Petroleum Corporation Limited, At Pakari, Via Anisabad, Patna-800002.
5. Dhiraj Kumar, Son of Nirmal Sah, Resident of Village-Jamarodh, P.O.-Dinara, P.S. Dinara, District Rohtas (Sasaram).

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Saroj Kumar, Advocate
For U.O. I.	:	Mr.Dr.K.N.Singh (ASG)
		Mrs. Priyanka Raj Laxmi, Advocate
For B.P.C.L.		Mr. Sanjay Singh, Sr. Advocate
For Respondent No. 5		Mr. Sanjeev Kumar Singh, Advocate

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

Date : 30-11-2021

Petitioner has prayed for the following relief(s):

“(i) For proper disposal of my complaint dated 18.07.2019 against selected candidate Dhiraj Kumar for Retail Outlet Dealership Group-1, Location No. 149 on the avail of given necessary condition within 3 Kilometer from Dinara Zero Mile toward Dhansoin on Dinara-Dhansoin Road.



- (ii) For holding and declaring that allotment of Petrol Station to the Private Respondent for Retail Outlet dealership Group-1, Location Non 149 is not in accordance with law and need to be interfered with as distance of the allotted location is at 4.2 Km instead of 3 K.m. from Dinara Zero Mile.
- (iii) For direction on respondent that petitioner is one of the three applicants and filed complaint before Respondent no. 3 alongwith Bank Drafts of Rs. 5000/- as required charge and still interested to get an opportunity of allotment of the Petrol Station and he is intitle for that.
- (iv) For any other relief/reliefs to which petitioner is found entitle, in the facts and circumstances of the case.”

On a pointed query put to Shri Sanjay Singh, learned Senior Counsel appearing for Respondent No. 2, namely Chairman and Managing Director, Bharat Petroleum Corporation Limited, as to why petitioner’s complaint was kept pending and not decided, we are informed that certain queries were put to the petitioner which remain unresponded.

Petitioner challenges the allotment made by Respondent No. 2, namely Chairman and Managing Director, Bharat Petroleum Corporation Limited, in favour of Respondent No. 5, namely Dhiraj Kumar.

Having heard learned counsel for the parties, we



are of the considered view that all questions of fact, more so with regard to the issue as to whether the site allotted met with the condition of territorial limits or not is to be decided first by the authority empowered to decide the grievances/complaints against such allotment.

Shri Saroj Kumar, learned counsel for the petitioner, states that within one week petitioner shall make himself available in the office of Grievances Redressal Forum on 21st of December, 2021 at 10:30 a.m. and also submit all papers as required by the Respondent No. 2 company.

Shri Sanjay Singh, learned Senior Counsel for Respondent No. 2, states that the officer authorized to decide the complaint shall positively take a decision within a period of four weeks from the date of its presentation.

Needless to add, while considering such complaint, principles of natural justice shall be complied with and the authority pass a reasoned and speaking order, copy whereof shall be supplied to all concerned.

All issues of fact and law are left open.

Liberty reserved to the parties to take recourse to such other remedies as are otherwise available, should the need so arise.



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

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/-

AFR/NAFR	
CAV DATE	
Uploading Date	03.12.2021
Transmission Date	

