

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15859 of 2021

=====

Kaushalya Devi, Wife of Shri Bishwanath Prasad Resident of Salimpur Ahra,
Dwarka Nath Lane, Kadamkuan, P.O. Bankipur, P.S. Gandhi Maidan, District-
Patna- 800003.

... .. Petitioner/s

Versus

1. M/s Indian Oil Corporation Limited through its Chairman cum Managing Director having its registered office at Indian Oil Bhawan, G-9, Ali Yavar Jung Marg, Bandra (East) Mumbai- 400051.
2. The Executive Director, Indian Oil Corporation Limited, Bihar State Office, 5th Floor, Lok Nayak Jai Prakash Bhawan, Dak Bunglow Chowk, Patna- 800001.
3. The General Manager (Retail Sales), Indian Oil Corporation Limited, Bihar State Office, 5th Floor, Lok Nayak Jai Prakash Bhawan, Dak Bunglow Chowk, Patna- 800001.
4. The Chief Divisional Retail Sales Manager (CDRSM), Indian Oil Corporation Limited, Muzaffarpur Divisional Office, Krishna Complex, Akharaghat Road, Muzaffarpur.
5. The Chief General Manager I/c (Vigilance) ER, Indian Oil Corporation Limited, (MD), Indian Oil Bhawan, 4th Floor, 2, Gariahat Road, (South) Dhakuria, Kolkata- 700068.
6. The Jawahar Pradhan Son of Late Subodh Pradhan Resident of Village- Mohammadpur, P.O.- Deopura, P.S.- Benipatti, District- Madhubani presently Proprietor of M/s Kaushalya Nath Services, a retail outlet of Indian Oil Corporation Limited situated at Benipatti, District- Madhubani.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Gupta, Advocate
For the Respondent/s : Mr. Sanat Kumar Mishra, Advocate

=====

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/Hon'ble Judges through Video Conferencing from their residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

2 20-01-2022

Heard learned counsel for the parties.



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

- i. For issuance of an appropriate writ/s, order/s, direction/s to the authorities of the Respondent Corporation to terminate/cancel the Dealership awarded illegally, arbitrarily in favour of Respondent No. 6 brushing aside all the applicable norms, policies, guidelines and in contrary to the Advertisement dated 06.08.2003 and further above all on the basis of the forged affidavit dated 27.10.2003 in the name of the petitioner which was never executed by her.
- ii. For issuance of an appropriate writ/s, order/s, direction/s to the authorities to at once vacate the land which is the self-acquired land of the petitioner and has been very deceitfully, in the garb of blood relationship and keeping in dark the petitioner has been obtained for the retail outlet dealership by the Respondent No. 6 and that too by mentioning a very meagre amount of rent i.e. Rs. 500/- per annum which amounts to Rs. 41.66/- per month for the entire commercial value of land and further has fraudulently opened a retail outlet on the said land in hands and gloves with the authorities of the Corporation.
- iii. For any other relief or reliefs for which the petitioner is found to be entitled in the facts and circumstances of this case.

Learned counsel for the petitioner states that during the pendency of the present petition, on account of intervening developments, the present petition has become infructuous. He further states that the petitioner has instituted eviction suit which is yet pending. He clarifies that disposal of the present



petition shall not come in the way of the said suit.

As such, present petition stands disposed of.

It would be open for the adjudicatory authority to decide the said suit in accordance with law *de hors* of the filing of the present petition.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/Ashwini

U			
---	--	--	--

