

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13530 of 2019

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M/s Suman Petroleum a proprietorship concern having its office at Jaffarpur to Deoria Road, Muzaffarpur, Bihar, through its Proprietor, Suman Kumar, Aged about 37, Male, Son of Uma Shamkar Thakur, Resident of Village-Tajpur, P.s.- Saraiya, Distt.- Muzaffarpur, Bihar

... .. Petitioner/s

Versus

1. Bharat Petroleum Corporation Limited a public Sector Company incorporated under the Provisions of the Companies Act, 1956 having its registered office at Bharat Bhavan 4 and 6 Currimbhoy Road Ballard Estate, Mumbai-400001 carrying on business from its State headquarters situating at old Jakkanpur, Raja Ji Salai, Indira Nagar, Patna, Bihar 800001 through its Chairman-cum-Managing Director
2. The Territory Manager Retail, Muzaffarpur, Bharat Petroleum Corporation Limited

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Prince Kumar Mishra, Advocate
For the Respondent/s	:	Mr.Siddhartha Prasad, Advocate
		Mr. Om Prakash Kumar, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 12-12-2022 Petitioner has prayed for the following relief(s):-

“(a) For issuance of a writ in the nature of Certiorari, quashing the Order contained in Letter dated 05.03.2019 passed by Territory Manager (Retail), Muzaffarpur, whereby and whereunder, the representation of petitioner dated 11.12.2018, has been rejected on totally erroneous and non-est grounds.

(b) For issuance of a writ in the nature of Certiorari, quashing the Advertisement dated



25.11.2018 published in Daily News Paper and on the website for Location Description – within 3 KM of Ratwara Chowk on Jafarpur Sahebganj Basaitha Road, District- Muzaffarpur at Serial No. 223 – issued for the appointments of Retail Outlet Dealership in the State of Bihar by the respondent authorities -as same is contrary to the guidelines issued by the Indian Road Congress which has stipulated minimum 1000 meter distance between two fuel station and the proposed site is within 1000 meter of the retail outlet of the petitioner.

(c) For issuance of writ in the nature of mandamus, directing and commanding the respondent authorities not to appoint Retail Outlet Dealership on the aforesaid proposed location as same is within 1000 meter distance of the Retail Outlet of the petitioner and it cannot be allowed.

(d) For issuance of the writ in the nature of mandamus, directing and commanding the respondent authorities not to appoint Retail Outlet Dealership on the aforesaid proposed location as same would severely hamper the financial viability of the petitioner's retail outlet as the sale of the petitioner on that route is very less.

(e) For any other appropriate reliefs which may be given to the petitioner under the given facts of the case.”

Learned counsel for the petitioner seeks permission to withdraw the present petition.



Permission granted.

Present petition stands disposed of as withdrawn.

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Sujit/-

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