

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14614 of 2019

Vinod Kumar, Son of Rambali Prasad @ Baliram Singh, Resident of Village Umaraibigha, Police Station Makhadumpur, District-Jehanabad.

... .. Petitioner/s

Versus

1. M/s Hindustan Petroleum Corporation Limited a Company incorporated under the Companies Act having its registered office at Jamshedjee Tata Road, Mumbai- 400020 through its Managing Director.
2. The Managing Director, M/S Hindustan Petroleum Corporation Limited, a Company incorporated under the Companies Act having its registered office at Jamshedjee Tata Road, Mumbai- 400020.
3. Senior Regional Manager, Regional Office, M/s Hindustan Petroleum Corporation Limited, Lok Nayak Jay Prakash Bhawan, 6th Floor, Dak Bunglow Chowk, Patna.

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 06-12-2022

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

“1. That this is an application on behalf of the petitioner for issuance of a writ in the nature of certiorari or any other appropriate writ/ order or direction to quash the order as contained in Ref. No. 15452083377501 dated 20.04.2019, issued under the signature of the Senior Regional Manager, M/s Hindustan Petroleum Corporation Limited (hereinafter referred to as ‘H.P.C.L.’) addressed to the petitioner, whereby and whereunder the candidature of the petitioner for allotment of the Retail Outlet Dealership has been found ineligible and his name was deleted from Group ‘A’ to Group ‘C’ and further the petitioner prays for issuance of a



consequential writ or mandamus or any other appropriate writ(s) and order(s) commanding and directing the respondent-authorities of the H.P.C.L. to issue letter of intent or to allot Retail Outlet Dealership of petrol pump to the petitioner in terms of the said selection process and/or to pass such order or orders as this Hon'ble Court may deem fit and proper in the facts and circumstances stated hereunder.

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 (Annexure-8, Page 25), which is pending consideration before him for redressal of the grievance(s).

Learned counsel for the respondents states that the authority concerned shall consider and dispose of the representation, which is pending before him, expeditiously and preferably within a period of three months from the date of approaching the petitioner 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 along with a copy of this order 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 approaching the petitioner 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;

(h) We expect that the appropriate authority shall consider and decide the petitioner's application/request



expeditiously and preferably within a period of three months from the date of its presentation.

The petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Sujit/-

AFR/NAFR	
CAV DATE	
Uploading Date	07.12.2022
Transmission Date	

