

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12748 of 2022

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Aftab Ahmad S/o Md. Izharul Haque Resident of Village- Narayanpur, Post-Sakari, P.S.- Manigachhi, Dahura, District- Darbhanga, Bihar- 847239.

... .. Petitioner/s

Versus

1. The Bharat Petroleum Corporation Limited through its Managing Director, Bharat Petroleum Corporation Limited. Registered Office Bharat Bhawan and 6, Currimbhoy road, Ballard Estate, Post Box No. 688, Mumbai-400001.
2. The Managing Director, Bharat Petroleum Corporation, Registered office Bharat Bhawan, and 6, Currimbhoy Road, Ballard Estate, Post Box No. 688, Mumbai - 400001 Ltd.
3. The Territory Manager, (LPG), Muzaffarpur, Bharat Petroleum Corporation Limited, Village- Sherpur, P.O.- Bela, P.S.- Bela, District- Muzaffarpur.
4. The Chief Manager Business Planning and Network, Muzaffarpur (LPC) Territory L.P.G., Bihar and Jharkhand and CPIO Bharat Petroleum Corporation Ltd. Ashiyana Chamber, 3rd Floor, Exhibition Road, Patna 800001.
5. Vijay Kumar Nayak S/o Ram Awatar Nayak Resident of Village-Narayanpur Bazar, P.S.- Manigachhi, District- Darbhanga.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Md. Shahnawaz Ali, Advocate
For the Respondent/s : Mr.Sanjay 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 : 17-10-2022

Heard learned counsel for the parties.

Petitioner has prayed for following relief:-

- (i) A writ, order and direction in the nature of mandamus directing and commanding the respondents authorities specially respondent no.3 to issue letter of Intent (L.O.I.) for the location,

Raghopur, Block, Manigachhi, District-Darbhanga, Bihar to the petitioner as the petitioner fulfilled the criteria laid down by respondent authorities, be issued.

(ii) Any other writs as the petitioner are entitled to.”

It is not in dispute that in terms of our order dated 22.11.2021 passed in C.W.J.C. No. 5729 of 2020 titled as Vijay Kumar Nayak Vrs. The Bharat Petroleum Corporation Limited and Ors., the matter is pending adjudication before the competent authority i.e respondent no. 3, namely, The Manager, (LPG), Muzaffarpur, Bharat Petroleum Corporation Limited.

We are of the considered view that the said authority must decide the issue after affording opportunity of hearing as also filing relevant materials on record, both to the writ petitioner in C.W.J.C. No. 5729 of 2020 (Supra) as also the present petitioner namely, Aftab Ahmad.

The issue must be decided within a period of three months from today.

Order assigning reason shall be supplied to the parties. Also, liberty reserved to the parties to take recourse to such remedies as are otherwise available in accordance with law, should the need so arise subsequently.

The petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Rajiv/veena-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	