

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14663 of 2019

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Birju Paswan S/o Makhan Paswan Residence of Village- Tajpur Buzurg, P.O.-
Bishanpur Bejha, P.S.- Mahua, District- Vaishali.

... .. Petitioner/s

Versus

1. The Indian Oil Corporation Limited Through its General Manger (LPG-S)
1st Floor Shahi Bhawan Exhibition Road, Patna.
2. The Chairman- cum- Managing Director Indian Oil Corporation Ltd, G-9
Ali Yavar Jung Marg, Bandra (East), Mumbai- 400051.
3. The Deputy General Manager, (LPG-S), Indane Area Office, First Floor,
Shashi Bhawan Exhibition Road Patna, 800001.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Amresh Kumar Sinha, Advocate Mr. Ram Tujabh Singh, Advocate
For the Respondent/s	:	Mr.Ankit Katriar, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 19-09-2022

Petitioner has prayed for the following relief(s):

“For issuance of an appropriate writ/writs, order/orders, direction/direction certiorari in nature for quashing of the letter dated 06/07/2018 issued under signature of Respondent no-3 by which the candidature of LPG distributorship for Harpur Belwa, in District of Vaishali under SC category of Gramin Vitrak arising out of advertisement dated 17-18/06/2017 has been rejected in a most arbitrary manner, without considering the fact that the petitioner possesses all the eligibility criteria for such distributor ship and as much as selected for the same by the authority having Sl.No-



1 in the select list and further for a direction upon the Respondent to forthwith issue a letter of intent to establish and run the distributor ship of LPG, under Gramin Vitrak under said Advertisement without any delay and further for any other appropriate relief or reliefs for which the petitioner is found entitled to the facts and circumstances of this case.”

Learned counsel for the petitioner submits that the case is squarely covered by the decision rendered by Hon’ble Apex Court in Civil Appeal No.2702 of 2022, titled as Rupesh Kumar Verma Vs. The Indian Oil Corporation Ltd. & Ors.

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 which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of two months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of on the following



terms:-

- (a) Petitioner shall approach the authority concerned
i.e. Respondent No.3, namely The Deputy General
Manager (LPG-S), Indane Area Office, Patna
within a period of four weeks from today by filing
a representation 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 two months
from the date of its filing along with a copy of this
order;
- (c) The order assigning reasons shall be communicated
to the petitioner;
- (d) Needless to add, while considering such
representation, principles of natural justice shall be
followed and due opportunity of hearing afforded
to the parties;
- (e) Also, opportunity to place on record all relevant
materials/documents shall be granted to the parties;
- (f) Equally, liberty is reserved to the petitioner to take
recourse to such alternative remedies as are
otherwise available in accordance with law;



(g) 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;

(h) Liberty reserved to the petitioner to approach the appropriate forum/Court, should the need so arise subsequently on the same and subsequent cause of action;

(i) We have not expressed any opinion on merits. All issues are left open;

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

K.C.Jha/DKS

AFR/NAFR	
CAV DATE	
Uploading Date	20.09.2022
Transmission Date	

