

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14765 of 2022

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M/s Gobind Indane Gramin Vitrak a partnership firm, represented through its Partner, Arun Kumar Sah, Male, aged about 52 years, Son of Babulal Sah, Resident of Barharwa Urf Bishunpur Mohabbat, Police Station- Suppi, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The Indian Oil Corporation Ltd. through its Chairman cum Managing Director, G-9, Ali Yavar Jung Marg, Bandra (East), Mumbai.
2. General Manager, LPG, Bihar State Office, Indian Oil Corporation Ltd., Jai Prakash Lok Narayan Bhavan, 5th Floor, Dak Bungalow Road, Patna-800001.
3. Divisional LPG Head, Muzaffarpur Divisional Office, Indian Oil Corporation Ltd., Krishna Complex, Akharaghat Road, Muzaffarpur-842001.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Ranjan, Advocate
For the Respondent/s : Mr. Ankit Katriar, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 03-11-2022

Heard learned counsel for the parties.

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

- (i) For a writ of certiorari to quash the letter dated 09.09.2022 as contained in Ref. No. BSO/ LPG/MIDO/Govind IGV issued under the signature of respondent no. 2, whereby a**



composite Show Cause notice and an order suspending the distributorship has been passed, which order is illegal and unsustainable.

- (ii) For a writ of mandamus that in absence of any provision for suspension of distributorship the respondent no. 2 has acted in an arbitrary and illegal manner in closing a running distributorship without any valid reason.
- (iii) For that the show cause notice does not meet the statutory requirement and has been issued with predetermined and closed mind prejudging the guilt of the petitioner and thus is invalid.
- (iv) For a direction to revoke the order of suspension forthwith and resume the supply of LPG to the distributor forthwith.
- (v) For any other relief / reliefs to which the petitioner is found entitled in the facts and circumstances of the case.

Having heard learned counsel for the parties,
the petition stands disposed of on the following



mutually agreeable terms:-

(a) Petitioner shall immediately respond to the notice issued by the respondents;

(b) He shall fully co-operate in the proceedings;

(c) Petitioner shall make himself available in the office of Respondent No. 2, namely, the General Manager, LPG, Bihar State Office, Indian Oil Corporation Ltd., Jai Prakash Lok Narayan Bhavan, 5th Floor, Dak Bunglow Road, Patna- 800001 on 21st of November, 2022 at 10:30 A.M., on which date petitioner shall file its response;

(d) The said respondent shall positively take a decision, in accordance with law, within a period of four weeks thereafter;

(e) Order assigning reasons shall be communicated to the petitioner;

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

(g) Liberty reserved to the petitioner to initiate



appropriate proceedings, before the appropriate forum,
should the need so arise subsequently.

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

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	04.11.2022
Transmission Date	

