

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19780 of 2021

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Suraj Pratap S/o Basudev Singh resident of At and PO- Bhargama, PS- Bhargama, District Araria, Bihar, 854334.

... .. Petitioner/s

Versus

1. M/s Hindustan Petroleum Corporation Limited, through its Chairman and Managing Director, 17, Jamshedji Tata Road, Mumbai- 400020.
2. The Chairman and Managing Director, Hindustan Petroleum Corporation Limited, 17, Jamshedji Tata Road, Mumbai 400020.
3. The General Manager, Retail, Hindustan Petroleum Corporation Ltd. (North Central Zone), Plot No. 1, Nehru Enclave, Gomti Nagar, Lucknow- 226010.
4. Head of Regional Office, Begusarai Retail Regional Office, Hindustan Petroleum Corporation Limited, Har Har Mahadev Chowk, 2nd Floor, Raghunath Palace, G.S. Motor, Maruti Show Room Building, Begusarai, Bihar- 851101

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ratnesh Kumar Singh, Advocate
For the Respondent/s : Mr.Rajeev Prakash, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

Date : 02-02-2022

Heard learned counsel for the parties.

2. Petitioner has prayed for following reliefs:-

“For issuance of appropriate writ or writs, order or direction for quashing of the order contained in letter Ref, 15455677815721 dated 19-08-2021 issued by Respondent No.4, by which Petitioner's candidature for award of Retail Outlet dealership at location '2 km on the either side of Bhargarna Bazn chowk on Bhargama Mahthawa

Road, Bhargama Bloch South Raghunathpur village, Araria District Araria" has been held to be ineligible. This writ application is also for a direction to the Respondents to consider the candidature of Petitioner valid for award of Retail Outlet dealership at aforesaid location and to issue LOI in favour of the Petitioner as per declaration of the Result of Draw dated 13-07-2021 in which Petitioner has been declared as selected by Respondent Corporation.”

3. After the matter was heard for some time, finding the Bench not to be agreeable with the submissions made by learned counsel for the petitioner, learned counsel for the petitioner, under instructions, states that petitioner shall be content if a direction is issued to the authority concerned, respondent no.4, the Head of Regional Office, Begusarai Retail Regional Office, Hindustan Petroleum Corporation Limited 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).

4. 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 four months from the date of its filing along with a copy of this order.

5. Statement accepted and taken on record.

6. As such, petition stands disposed of in the following terms:-

(a) Petitioner shall approach the authority concerned 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 four 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;

(j) The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode;

7. The petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.02.2022
Transmission Date	NA