

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21413 of 2021

Pragya Kumari, Wife of Kamlesh Kumar Singh Resident of Sri Krishna Niwas, Gorhna Road, South of Co-operative Colony, P.O.- Anaith Ara, P.S.- Nawada, District- Bhojpur.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary Department of Petroleum and Natural Gas, Government of India, Central Secretariat, New Delhi.
2. Bharat Petroleum Corporation Limited through its Chairman Bharat Petroleum Corporation.
3. The Managing Director Bharat Petroleum Corporation Limited.
4. Executive Director, (Retails) Bharat Petroleum Corporation Limited.
5. The Deputy General Manager (Retail Sales) Head Office, Bharat Petroleum Corporation Ltd.
6. The Senior Divisional Retail Sales Manager Bhojpur Divisional Office, Bharat Petroleum Corporation, Bhojpur.
7. State Head, Retails (Bihar and Jharkhand), Bharat Petroleum Corporation.
8. The Territory Manager (Retail) Bharat Petroleum Corporation Ltd. Village- Pakri Via Anisabad, Patna- 800002.
9. The Sales Officer (Retail Sales) Bhojpur Region Sales Center.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Saket Tiwary, Advocate
Mr. Amritya Raj, Advocate

For the Respondent/s : Mr. Ravinder Kumar Sharma, CGC

For the Corporation : Mr. Siddhartha Prasad, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/Hon'ble Judges through Video Conferencing from their residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

Date : 02-09-2022

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



- (i) For setting aside the communication received through e mail dated 29.10.21 by which the petitioner was informed that the land offered by the petitioner was not in the advertised location and is in a different village.
- (ii) For issuance of mandamus directing the respondents to declare the petitioner as the selected candidate for allotment of Petrol Pump on the location "Sakdadi to Nasirganj on SH-81, RHS, Vill- Ghai, Panchayat- Chakrabhuj, P.S. Sahar".
- (iii) Alternatively to direct the respondents to disclose the correct location of the stretch as per the advertisement.
- (iv) Till the pendency of this writ application, stay the selection process of grant of Petrol Pump on the location "Sakdadi to Nasirganj on SH-81, RHS, Vill- Ghai, Panchayat- Chakrabhuj, P.S. Sahar".
- (v) For any other relief/reliefs the petitioner is entitled to the facts of circumstances of the case.

Shri Siddhartha Prasad, learned counsel appearing on behalf of the Bharat Petroleum Corporation Limited, has taken a decision in principle withdrawing the site as advertised way back in the year 2018. The location, as identified by the respondents, is termed as 'No. 410'. Rather unfortunate that after a period of four years, the respondents realised their mistake and allowed the common public to suffer endlessly.



Be that as it may, we direct the respondent- Bharat Petroleum Corporation Limited to forthwith and not later than four weeks from today, advertise a fresh advertisement giving complete and correct particulars of the site and have the entire process of finalising the application and allotting the site, completed within a reasonable period and not later than six months.

We are passing such an order in view of our directions already issued in CWJC No. 8900 of 2020, titled as **The National Highway Projects in the State of Bihar Vs. The State of Bihar & Ors.**

The petition stands disposed of in the aforesaid terms.

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

(Sanjay Karol, CJ)

(S. Kumar, J)

Sujit/-

AFR/NAFR	
CAV DATE	
Uploading Date	07.09.2022
Transmission Date	

