

27-01-2022
ct no. 13
Sl.13
sp

WPA 9998 of 2020
Ashoke Dutta
Versus
Indian Oil Corporation Limited & Ors.
(Via Video Conference)

Mr. Rabindranath Majumdar,
Mr. S.M. Obaidullah,
Mr. Supratim Bhattacharjee
...for the petitioner

Mr. Puspendu Chakraborty
...for the Indian Oil Corporation Limited

Mr. Rajdeep Majumdar
...for the respondent no.5

The writ petitioner is aggrieved that the LPG Distributorship, which was standing in the name of his late father, who was a freedom fighter, has been illegally transferred in favour of his brother depriving him of any benefit.

It is submitted that since the Distributorship was in the name of the petitioner's father, upon his death, the petitioner as well as all the legal heirs of the father ought to have received the share of such business.

Counsel for the Indian Oil Corporation Limited submits that upon the death of the petitioner's father, by a sworn affidavit dated September, 29 2014, before the 1st Judicial Magistrate, Calcutta, the petitioner and other legal heirs of late Anil Dutta, have consented to Shri

Sumit Dutta, the private respondent for being granted the Distributorship.

It is also submitted that sometime in the year 2014, a criminal proceeding has been registered against the writ petitioner, which even otherwise, prevents him from holding any Distributorship of the Indian Oil Corporation Limited.

Having heard the rival contentions of the parties, this Court is of the view that the transfer of Distributorship in favour of Shri Sumit Dutta, the private respondent, has occurred in accordance with law. This Court does not find any fault on the part of the Indian Oil Corporation.

The grievance of the petitioner, if any, against the private respondent, may be agitated before a civil forum. For the reasons stated hereinabove, the writ petition fails and is hereby dismissed.

There shall be no order as to costs.

Let copies of the sworn affidavit and the newspaper extract produced by the Indian Oil Corporation be kept with the record.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)