

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.851 of 2015
(Through Hybrid mode)

Amitabh Lath and others

....

Petitioners

Mr. G.P.Dutta, Advocate

-versus-

***Bhrat Petroleum Corporation Ltd.
and others***

....

Opposite Parties

Mr. S.Patnaik, Advocate (for O.P.nos.1 and 2)
Mr. M. Kanungo, Senior Advocate (for O.P.no.3)

CORAM: JUSTICE ARINDAM SINHA

ORDER
10.03.2022

Order No.

11. 1. Mr. Dutta, learned advocate appears on behalf of petitioners and submits, intervening added opposite party no.3 has sought to raise dispute. His clients are running the pump pursuant to interim measure directed by coordinate Bench on 21st January, 2015.
2. He submits, the oil company (O.P. nos.1 and 2) issued impugned letter dated 24th December, 2014 requiring reconstitution papers. He draws attention to disclosures in the writ petition to demonstrate that, inter alia, added opposite party had retired from the partnership.

3. Mr. Pattnaik, learned advocate appears on behalf of the oil company. On query from Court he submits, petitioners are running the pump pursuant to said status quo order. In the matter of the running, there has been no occasion till date for his client to find fault for otherwise terminating the licence. He submits further, 'Know Your Client' (KYC) have to be filed by whoever runs the pump. That has not been done.

4. Mr. Kanungo, learned senior advocate appears on behalf of added opposite party and submits, his client was minor at the time licence was granted. Subsequently, his client was wrongfully removed from the business of running the pump. There should be no interference and the writ petition dismissed, to enable as pre-condition of renewal of licence, settlement of family dispute.

5. It appears, impugned letter was addressed to persons/legal representatives, to whom the license was granted. The order in directing interim measure was passed ex-parte against opposite parties. Opposite parties, including added opposite party, let the order subsist. The writ petition has been listed at the instance of Court under heading 'Old Matters'.

6. Apart from the oil company's requirement of KYC, the RO is being run to their satisfaction by petitioners, pursuant to the order of interim measure. Family dispute between petitioners and added opposite party is of no concern to the oil company. It should be and is interested in its business that has been running, presumably to their satisfaction.

7. Interim measure order is confirmed. Added opposite party is left to find remedy regarding family dispute with petitioners.

8. The writ petition is disposed of.

(Arindam Sinha)
Judge

RKS

