

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2255 of 2023

Asharfi Road Lines through its Partner, Md. Iftekhar Khan, Male, aged about 47 Years, S/o-Md. Navi Raza Khan, Resident of Village- and P.O.-Deona Tiltrath, Ward no.03, Deonah, District-Begusarai.

... .. Petitioner/s

Versus

1. The Chairman Indian Oil Corporation Limited Indian Oil Bhavan, G-9, Ali Yavar Jung Marg, Bandra (East), Mumbai, Maharashtra.
2. The Executive Director and State Head, Bihar Head Office Indian Oil Corporation Limited (MD), 5th Floor, Lok Nayak Jia Prakash Bhawan, Dakbunglow Chowk, Patna-1, Bihar.
3. The Executive Director Indian Oil Corporation Limited, Barauni, District-Begusarai, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Alok Ranjan, Adv.
For the Respondent(IOCL):	:	Mr. K.D. Chatterji, Sr. Adv.
	:	Mr. Amlesh Kumar Verma, Adv.
For the Respondent/s	:	Mr. Ankit Katriar, Adv.

CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL JUDGMENT

Date : 10-08-2023

1. The grievance of the petitioner-Transporter is that they have been discriminated with the Distributors. In other words, the Respondent-Corporation are discriminating among the Distributors and Transporters in respect of transportation of Petroleum products.

2. The petitioners have not produced any policy decision so as to apprise this Court that the Respondents-Corporation are discriminating among the Distributors and Transporters. He has also not apprised what are the difference between the Transporters and Distributors like role played by respective parties in transporting petroleum products.



3. This Court is of the view that they form a separate class, therefore, question of discrimination may not be arise. Assuming that if there is any discrimination it must be with reference to certain policy of the corporation. In the absence of existence of such policy or in not challenging such policy to the effect that it is arbitrary in nature, the present writ petition cannot be entertained.

4. Accordingly, writ petition stands disposed of, reserving liberty to the petitioner to approach the concerned authority pointing out if there are any discriminations among the Distributor and Transporter in so far as providing facility to transport petroleum products and if such representation is submitted, the concerned authority is hereby directed to streamline the same while taking note of Article 14 of the Constitution, if any. In the alternative, if there are any policy existing in so far as management of distribution of petroleum products through Distributor/Transporter, the same shall be questioned in an independent litigation.

6. With the aforesaid observation/direction, this petition stands disposed of.

(A. Abhishek Reddy , J)

Ayush/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	16.08.2023.
Transmission Date	N/A

