

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3182 of 2023**

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1. Most. Sona Kunwar Wife of Late Chandrika Ray, Resident of Village Sitalpur, Chatra Chapra, Police Station-Dighwara, District Saran.
2. Ambika Ray, Son of Late Yamuna Ray, Resident of Village Sitalpur, Chatra Chapra, Police Station-Dighwara, District Saran.

... .. Petitioner/s

Versus

1. Indian Oil Corporation Limited through its General Manager, State Head Office, Loknayak Jai Prakash Bhawan, Dak Bunglow Road, Patna.
2. The Manager, Divisional Office, Indian Oil Corporation Limited, Krishna Complex, Akhara Road, Muzaffarpur.
3. Santosh Kumar, Son of Malik Ray, resident of Village Shitalpur, Chatra Chapra, Police Station Dighwara, District Saran, at present Dealer, M/s Y.Y.C. Petroleum, Sitalpur, District Saran.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : None  
For the Respondent/s : Mr. Sanat Kumar Mishra, Adv.

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA**

**ORAL JUDGMENT**

**Date : 21-04-2023**

1. No one appears on behalf of the petitioners.
2. The petitioners, by way of this writ petition,

prayed as under:

*“1. That the petitioner is invoking the writ jurisdiction of this Hon’ble Court for issuance of appropriate writ in the nature of mandamus seeking direction to respondent Indian Oil Corporation to take appropriate action including termination of petroleum dealership allotted to respondent no. 3 at Sitalpur in the district of Saran, in view of automatic cancellation of lease deed*



*in respect of land upon which petroleum outlet is functional, on account of violation of terms of lease with respect to non-payment of lease rent for the last eight years by respondent no. 3 as well as on the basis of report submitted by Officer-in-charge, Dighwara police station regarding application of proceeding under section 144 Cr.P.C. over the retail outlet in question and for any other relief/reliefs which the petitioners may found to be entitled in the facts and circumstances of the case.”*

3. Apparently, there is a civil dispute pending between the petitioners and respondent No. 3. The claim set up by the petitioners in the present writ petition is with respect to the land on which the petrol pump has been set up. The dispute can be taken up by the petitioners in appropriate forum (Civil Court) however, writ petition for such purposes would not lie.

4. Accordingly, the writ petition is dismissed.

**(Sanjeev Prakash Sharma, J)**

Suraj/-  
Item No. 27

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