

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23774 of 2018

Arjik Carrier Pvt. Ltd. Through Its Director, Md. Javed Imam Khan Son of
Md. Babiraja Khan Resident of village post Deona, Ward no. 03, Deonath,
Distt. Bugusarai

... .. Petitioner/s

Versus

1. The Chairman And Managing Director Bharat Petroleum Corporation Limited
2. The Director Marketing Bharat Petroleum Corporation Limited Head quarters., Bharat Bhavan, Ballard
3. The Senior Transport Manager Bharat Petroleum Corporation Limited., Kolkata.
4. The State Head Bharate Petroleum Corporation Limited, Exhibition Road, Patna, Bihar
5. The Senior Territory Manager Bharat Petroleum Corporation Limited, Barauni Top, Paprour, Distt. Beg

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Alok Ranjan
For the Respondent/s	:	Mr. Siddhartha Prasad

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 25-07-2023

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. We are of the view that they form a separate class, therefore, question of discrimination may not be arise. Assuming that if there are 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.

(P. B. Bajanthri, J)

(Jitendra Kumar, J)

skm/-

AFR/NAFR	N.A.F.R.
CAV DATE	NA
Uploading Date	31.07.2023
Transmission Date	NA

