

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23859 of 2018

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Usha Kushwaha, W/o Manoj Kumar Kushwaha, permanent R/o Village Fauzdari, P.O. Salempur, P.S. Pirpainty, District Bhagalpur, present address Village and P.O. Salempur, P.S. Pirpainty, District Bhagalpur.

... .. Petitioner/s

Versus

1. Bharat Petroleum Corporation Ltd. Registered office Bharat Bhavan, 4 and 6, Currimbhoy Road, Ballard Estate, Post Box No. 688, Mumbai- 400001 through its Managing Director.
2. Managing Director, Bharat Petroleum Corporation Ltd. Registered office Bharat Bhavan, 4 and 6, Currimbhoy Road, Ballard Estate, Post Box No. 688, Mumbai- 400001.
3. The Chief Vigilance officer, Bharat Petroleum Corporation Ltd. Registered office Bharat Bhavan, 4 and 6, Currimbhoy Road, Ballard Estate, Post Box No. 688, Mumbai- 400001.
4. The Regional Manager, Bharat Petroleum Corporation Ltd., Patna.
5. The Territory Manager, Bharat Petroleum Corporation Limited, Village-Sherpur, P.S.- MIC Bela, Muzaffarpur- 842005.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rakesh Narayansingh, Advocate
For the B.P.C.L.	:	Mr. Siddhartha Prasad, Advocate
		Mr. Om Prakash Kumar, Advocate

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

Date : 04-09-2023

Heard learned counsels for the parties.

2. In the instant petition, petitioner has prayed for following reliefs:-

"i) That the respondent no. 5 Territory Manager, Bharat Petroleum Corporation Limited, Muzaffarpur, may be directed to accept the demand draft and documents in pursuance of his letter dated



19.11.2018 contained in annexure-1.

ii) That the respondents may be directed to not cancel the award of LPG distribution ship of BPC at Mohanpur location in Bhagalpur district which has been decided in favour of the petitioner.

iii) That any other relief or reliefs may be allowed which may be just proper and equitable in the opinion of this Hon'ble Court."

3. The matter was heard at length on 31.08.2023 and we had passed the following order:-

"Learned counsel for the respondent- Corporation is hereby directed to ascertain as to whether LPG Distributorship of BPC at Mohanpur location in the district of Bhagalpur has been re-notified in view of the fact that the petitioner failed to comply the various directions issued from time to time by the Corporation with reference to Advertisement dated 17.06.2017 read with draw of lots conducted on 16.10.2018 and further asking the petitioner to deposit certain amount on 23.10.2018 within a period of seven days and she has failed to deposit the demanded amount. Further, there were certain correspondence from the respondent- Oil Corporation on 31.10.2018, 19.11.2018 (through mail) and further letter was communicated finally on 28.11.2018. Thereafter, petitioner's claim was rejected on 01.12.2018. Till date the petitioner has not challenged the rejection.

2. Re-list this matter on 04.09.2023."

4. Today, learned counsel for the petitioner submitted that an Interlocutory Application is filed in which petitioner has prayed for consideration of her name in the future advertisement. It is also submitted that in respect of subject-matter of LPG



distributorship of BPC at Mohanpur location in the district of Bhagalpur is yet to be finalized and the respondent- Corporation intends to re-advertise/ advertise afresh. These factual aspects are not disputed by the learned counsel for respondent- Corporation.

5. Accordingly, the present writ petition stands disposed of reserving liberty to the petitioner to participate in future advertisement in respect of aforementioned LPG distributorship, if she is otherwise eligible.

6. Pending Interlocutory Applications, if any, stands disposed of.

(P. B. Bajanthri, J)

(Arun Kumar Jha, J)

rakhi/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	12.09.2023
Transmission Date	N.A.

