

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16051 of 2022

Ishwar Nand Balli @ Nand Bali Ishwar Son of Late Ishwar Ram Udgar, resident of Village- Harprasad Bishunpur Khem, P.S.- Jandaha, District- Vaishali, at present residing at Flat no. 206, Lochan Enclave near Dominos, P.S.- Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

1. Bharat Petroleum Corporation Limited through its Chairman, Bharat Bhawan, 4 and 6 Currimbhag Road, Ballard, Estate, P.B. No. 688, Mumbai-400001.
2. The Chairman, Bharat Petroleum Corporation Limited, Bharat Bhawan, 4 and 6 Currimbhag Road, Ballard, Estate, P.B. No. 688, Mumbai- 400001.
3. The Territory Manager (Retail), Muzaffarpur.
4. Rambali Ishwar, S/o- Late Ishwar Ram Udgar, resident of Village- Harprasad Bishunpur Khem, P.S.- Jandaha, District- Vaishali.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Kumar, Advocate Mr. Raj Kumar, Advocate
For the Respondent/s	:	Mr. Sanjay Singh, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 03-01-2023

Petitioner has prayed for the following(s):-

- “(i) For issuance of direction upon the respondent BPCL to act upon the representation dated 19.06.2022 filed by the petitioner highlighting the fact that license of "Sudha Petroleum retail outlet" located on rural road village Harprasad (near NH 322) has been obtained by playing fraud upon the company and by suppressing the material facts and thus is liable to be cancelled.
- (ii) For further direction upon the respondent company to hold enquiry in that regard and seek clarification



with the licensee Rambali Ishwar as to whether the land offered by him is his exclusive land or not and if it is a joint family property then whether the other coparceners had given a valid consent in his favor or not.

(iii) For any other relief/reliefs for which the petitioner is found entitled in the facts and circumstances of the case.”

After the matter was heard for some time, learned counsel for the petitioner seeks permission to withdraw the present petition reserving liberty to take recourse to such other remedies as are otherwise permissible and admissible in accordance with law as also represent to the appropriate authority i.e. respondent No. 3 namely, The Territory Manager (Retail), Muzaffarpur venting out the grievances, subject-matter of the present petition.

Prayer allowed. Liberty, as prayed for, is granted.

Without expressing any opinion on merits, leaving all questions of fact and law open, the present petition is disposed of as withdrawn with the liberty aforesaid.

We expect that the appropriate authority shall consider and decide the petitioner’s application/request expeditiously and preferably within a period of three months from the date of its presentation.



Needless to say that while considering such request, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties.

If aggrieved by the said order, the petitioner shall have liberty to approach this Court by way of separate petition(s), if so required and desired.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Shiv/ Sujit

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

