

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.24448 of 2019**

Md. Umar Farooque Son of Md Owais Sattar Colony, Opp- Women's I.T.I.,  
P.S. and P.O. Digha Ghat, Patna- 800011.

... .. Petitioner/s

Versus

1. Union of India through the Ministry of Petroleum and Natural Gas, Shastri Bhawan, New Delhi- 110001. represented through its Director, Retail Outlet/Petrol Pump.
2. Bharat Petroleum Corporation Limited A Government of India Enterprise, 12/E and F, Maker Towers, Cuffe Parade, Post Box No. 19949, Mumbai-400005 through its Chairman.
3. Bharat Petroleum Corporation Limited Muzaffarpur (Retail) Territory, Village Sherpur, Near Narayanpur Anant Railway Station, on NH 28, P.O. MIC Bela, Muzaffarpur through the Head of Territory Officer, TM Retail, Muzaffarpur.
4. The Territory Manager (Retail) Bharat Petroleum Corporation Limited, Muzaffarpur (Retail) Territory, Village Sherpur, Near Narayanpur Anant Railway Station, on NH 28, P.O. MIC Bela, Muzaffarpur.

... .. Respondent/s

**Appearance :**

|                               |   |                              |
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| For the Petitioner/s          | : | Mr.Satyabir Bharti, Advocate |
| For the UoI                   | : | Mr. Anshuman Singh, Advocate |
| For the Petroleum Corporation | : | Mr. Sanjay Singh, Advocate   |

**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE PARTHA SARTHY**

ORAL ORDER

**(Per: HONOURABLE THE CHIEF JUSTICE)**

2      04-01-2023      Petitioner has prayed for the following relief/s :-

“(i) quashing the order(s) dated 12.09.2019  
and ), passed by the respondent no. 3 & 4, namely,  
Head of Territory Office, Bharat Petroleum  
Corporation Limited, by which the application of the  
petitioner for award of Retail Outlet dealership has  
been rejected, on a premise that the site offered by the  
petitioner is outside the advertised stretch of land, that



is beyond 5 kms from Mabbi Chowk towards Kamtaul on SH 75, District-Darbhangha;

(ii) to direct the respondent to reconsider the application of the petitioner for award of Retail Outlet dealership, in view of the fact that the land offered by the petitioner is within 5 kms from Mabbi Chowk towards Kamtaul on SH 75, District – Darbhanga and the petitioner was selected in the lottery among eligible candidates;

(iii) pass such other order/orders as your Lordship may deem fit and proper in the facts and circumstances of the present 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 respondent No.4, namely, the Territory Manager (Retail) Bharat Petroleum Corporation Limited, Muzaffarpur (Retail) Territory, Village Sherpur, Near Narayanpur Anant Railway Station, on NH 28, P.O. MIC Bela, 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)**

Ashwini/Sujit

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