

18.05.2023
Ct. 5
D/L 17
ab

WPA 23196 of 2022

Monomohan Dutta & Anr.

-Vs-

Bharat Petroleum Corporation Ltd. & Ors.

Mr. Debabrata Saha Roy,
Mr. Subhankar Das,
Mr. Neil Basu,
Mr. Sankha Biswas

... for the petitioners

Mr. Sanjib Kr. Mal,
Mr. Bimalendu Das,
Ms. Shomrita Das
Mr. Shomrik Das

... for the respondent Oil Company

Mr. Pankaj Halder
Mr. Tapas Manna

... for the private respondent no. 9

1. Learned counsel appearing for the Oil Company hands up a copy of the Minutes of the meeting held on 13th May, 2023 at Territory Office, Uluberia of the Oil Company, which was attended by the petitioners being the two brothers and the private respondent no. 9 being the sister of the petitioners. Two representatives of the Oil Company were also present.
2. The Minutes reflect that neither the two brothers/petitioners nor the sister was willing to sign on the Distributorship Agreement citing personal/internal disputes with one another.
3. The Minutes make it clear that there are internal disputes between the petitioners and their

sister/private respondent no. 9. The Marketing Discipline Guidelines governing the Oil Company require signatures of all the existing licensees for renewal of the Distributorship Agreement. This is evidently not possible since the disputes are apparent even between the two petitioners as well as between the petitioners and the sister/private respondent no. 9.

4. The Oil Company shall hence be at liberty of taking steps as per the requirement under the Guidelines. However, steps shall be taken only after the joint/individual representations made by the parties concerned are considered and disposed of by the Oil Company with a reasoned decision. The Oil Company shall hear the parties concerned and dispose of the representations within four weeks from the date on which the Oil Company receives the representation/s. The petitioners and the private respondent no. 9 shall make the representations by 9th June, 2023. The Oil Company shall not interfere with the business of the petitioners till a fortnight after the reasoned decision is received by the petitioners.
5. WPA 23196 of 2022 is disposed of in terms of the above.

(Moushumi Bhattacharya, J.)