

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.10816 of 2024**

1. M/s Kiran Indane Service through its Partner Kumar Shaleen, S/o Upendra Narayan Jha, having office at Tajpur Road, Samstipur, Bihar - 848101 and also resident at Alkapuri, Hinoo, Ward No. 38, Doranda, Ranchi, Jharkhand-834002.
2. Kumar Shaleen, S/o Upendra Narayan Jha, R/o Alkapuri, Hinoo, Ward No. . 38, Doranda, Ranchi, Jharkhand - 834002 presently residing at Professor Colony, Gali No. 1, Near Techno Mission School, Tajpur Road, Samastipur, Bihar- 848101.
3. Seema Kumari, W/o Shishir Kumar Jha, R/o F-1402 Tower F, French Apartments, Sector 16B, VTC, Greater Noida West, P.O. Sector-1, Greater Noida West, Sub District Noida, District Gautam Buddha Nagar, Uttar Pradesh- 201318.

... .. Petitioner/s

Versus

1. The Indian Oil Corporation Ltd. through its Chairman, having office at 3079/03 J.B. Tito Marg, Sadiq Nagar, New Delhi - 110048.
2. The Executive Director, Indian Oil Corporation Limited (Marketing Division), Eastern Region Office, Regional Contract Cell, Indian Oil Bhavan, 2 Gariahat Road (South), Dhakuria, Kolkata- 700068.
3. The Executive Director (LPG), Indian Oil Corporation Ltd., Bihar State Office- 5th Floor, Loknayak Jaiprakash Narayan Bhawan, Dakbunglow Road, Patna- 800001.
4. The Divisional LPG Head, Indane Divisional Office, Muzaffarpur, Sherpur, P.O. - M.I.C., Bela, District- Muzaffarpur, Bihar- 842005.

... .. Respondent/s

**Appearance :**

For the Petitioner/s : Mr.Puneet Siddhartha, Adv.  
For the Respondent/s : Mr.Ankit Katriar, Adv.

**CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY**  
**ORAL ORDER**

2      19-08-2024                      Heard the parties.

2. The present writ petition is filed for the following

relief(s):-

*“(A) A writ in the nature of Certiorari or any other appropriate writ/s, order/s direction/s quashing the following:-*



*i. A Letter dated 20.06.2024 (hereinafter to be referred as 'Impugned Letter dated 20.06.2024') issued under the signature of Respondent No. 4 by way of which the Respondent No. 4 has denied to consider the Application of Reconstitution Proposal made by the Petitioner vide SR No. 1-1048422603662 dated 03.04.2024 and further directed the Petitioner to submit a fresh application for Reconstitution as per policy within 15 days failing which the Distributorship of the Petitioner will be placed under suspension till it get reconstituted.*

**(B)** *A writ in the nature of mandamus or any other appropriate writ/s, order/s direction/s for the following reliefs:*

*i. To restrain the Respondent Authorities from giving effect to the impugned Letter dated 20.06.2024 issued under the signature of the Respondent No. 4 till the pendency of this Writ Petition.*

*ii. To direct the Respondent to allow the Petitioner to run its Distributorship till the pendency of this Writ Petition.*

*iii. To direct the Respondents to publish a Notice in the Newspaper calling for objection in terms of Clause 3.17.6 of the Guidelines for Reconstitution of LPG Distributorship - 2022.*

*iv. To declare that the Detailed Guidelines for Reconstitution of LPG Distributorship 2022 should include persons nominated through a Registered Will as the same is valid nomination as per Indian Succession Act, 1925 for the deceased Partner's Share in Partnership Firm of LPG Distributorship, in a case no other person(s) have been nominated in the*



*prescribed form of IOCL by the Deceased Partner.”*

3. Learned counsel appearing on behalf of the petitioners has stated that against the request made for reconstitution of the partnership of the distributionship, the authorities-corporation have rejected the said proposal vide Reference No. MIDO/2024-25/177140/01 dated 20.06.2024 (Annexure P/12). As against the said rejection order, the petitioners herein have filed a reply through the representation dated 02.07.2027 (Annexure 14). Learned counsel for the petitioner has stated that the respondents-corporation may be directed to consider the reply/representation dated 02.07.2027 made by the petitioners and the respondents-corporation may be directed to consider the same in terms of Clause 3.17.6 of the Guidelines for Reconstitution of LPG Distributorship of 2022.

4. Learned counsel appearing on behalf of the respondents-corporation has stated that he has no objection if a direction is given to the authorities-corporation for considering the said reply/representation made by the petitioners in accordance with law.

5. Having regard to the above made submissions, without going into the merits or demerits of the case, the present writ petition is disposed of directing the respondents-



corporation to consider the reply/representation 02.07.2027 (Annexure 14) given by the petitioner. The respondents-corporation shall endeavor to dispose of the representation made by the petitioners as expeditiously as possible preferably within a period of six weeks from the date of receipt of a copy of this order.

6. It is needless to mention that in case any clarification is required, the petitioners shall be put on notice and given an opportunity of hearing. Till such time any orders are passed, the respondents-corporation are directed not to take any coercive steps against the petitioners.

7. With the above directions, the present writ petition stands disposed of.

**(A. Abhishek Reddy , J)**

Bhardwaj/-

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