

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5945 of 2015

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Devendra Singh Son of Late Daroga Singh resident of village- Bihat, P.O.-
Bihat, Tola- Asrahpur P.S. Barauni, District- Begusarai Pin-851135.

... .. Petitioner/s

Versus

The Senior Divisional Retail Sales Manager Marketing Division I. O.c. Ltd

... .. Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Sanat Kumar Mishra, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-07-2025 No one appears on behalf of the petitioner though

State is present.

2. The present writ petition has been preferred for the
following relief(s):

*(i) for directing the respondent
senior Divisional Retail Sales Manager
(Hereinafter Sr. Dr.R.S.M. for the purpose of
brevity) to consider the representation dated
15.12.2014 filed by the petitioner for
vacation of demised premises as dealership
of retail outlet under the name and style of
M/S Sanjay service station operated by
Kundan Kumar as proprietor was
terminated on 3.1.2014 and the demises
premises has been in redundant condition
since 3.1.2014 circumstances representation
and under such the petitioner (dated
15.12.2014) filed the on the ground of*



personal necessity followed by reminders (date 12.02.2015) which are pending.

(ii) For grant such other relief (s) for which the petitioner is found to be entitled in the facts and circumstances of the case.

3. Learned counsel for the Indian Oil Corporation Limited (henceforth for short, 'I.O.C.L.') is present and has taken this Court to the paragraph 5 of the counter affidavit to show that altogether six persons came into an agreement which led to the opening of the petrol pump in the District of Begusarai. Now, one of them (the petitioner herein) wants the land to be returned.

4. Learned counsel representing the 'I.O.C.L.' submits that despite five persons who entered into the agreement with the petitioner being directly affected by the said representation, the same have not been impleaded as party respondent and as such, the petition is fit to be dismissed for non-joinder of necessary parties.

5. The contention presented by the learned counsel for the 'I.O.C.L.' is worth consideration. The facts have been detailed out in the counter affidavit duly served upon the learned counsel for the petitioner on 08.11.2017, no reply has been filed rebutting the said statement.



6. Even otherwise, when the five affected parties have not been impleaded as respondents herein, it is fit to be dismissed for non-joinder of necessary parties.

7. However, since there is no appearance, dismissed for non-prosecution.

8. All the pending I.A.(s), if any, stands disposed of.

(Rajiv Roy, J)

Vijay Singh/-

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