
(2022) 09 PAT CK 0030

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No. 14663 Of 2019

Birju Paswan

APPELLANT

Vs

Indian Oil Corporation Limited

RESPONDENT

Date of Decision : 19-09-2022

Acts Referred:

Citation : (2022) 09 PAT CK 0030

Hon'ble Judges : Sanjay Karol, CJ;S. Kumar, J

Bench : Division Bench

Advocate : Amresh Kumar Sinha, Ram Tujabh Singh, Ankit Katriar

Final Decision : Disposed Of

Judgement

Petitioner has prayed for the following relief(s):

"For issuance of an appropriate writ/writs, order/orders, direction/direction certiorari in nature for quashing of the letter dated 06/07/2018 issued under signature of Respondent no-3 by which the candidature of LPG distributorship for Harpur Belwa, in District of Vaishali under SC category of Gramin Vitrak arising out of advertisement dated 17-18/06/2017 has been rejected in a most arbitrary manner, without considering the fact that the petitioner possesses all the eligibility criteria for such distributor ship and as much as selected for the same by the authority having Sl.No-1 in the select list and further for a direction upon the Respondent to forthwith issue a letter of intent to establish and run the distributor ship of LPG, under Gramin Vitrak under said Advertisement without any delay and further for any other appropriate relief or reliefs for which the petitioner is found entitled to the facts and circumstances of this case."

Learned counsel for the petitioner submits that the case is squarely covered by the decision rendered by Hon'ble Apex Court in Civil Appeal No.2702 of 2022, titled as Rupesh Kumar Verma Vs. The Indian Oil Corporation Ltd. & Ors.

Learned counsel for the petitioner, under instructions, states that petitioner shall

be content if a direction is issued to the authority concerned to consider and decide the representation which the petitioner shall be filing within a period of four weeks from today for redressal of the grievance(s).

Learned counsel for the respondents states that if such a representation is filed by the petitioner, the authority concerned shall consider and dispose it of expeditiously and preferably within a period of two months from the date of its filing along with a copy of this order.

Statement accepted and taken on record.

As such, petition stands disposed of on the following terms:-

- (a) Petitioner shall approach the authority concerned i.e. Respondent No.3, namely The Deputy General Manager (LPG-S), Indane Area Office, Patna within a period of four weeks from today by filing a representation for redressal of the grievance(s);
- (b) The authority concerned shall consider and dispose it of expeditiously by a reasoned and speaking order preferably within a period of two months from the date of its filing along with a copy of this order;
- (c) The order assigning reasons shall be communicated to the petitioner;
- (d) Needless to add, while considering such representation, principles of natural justice shall be followed and due opportunity of hearing afforded to the parties;
- (e) Also, opportunity to place on record all relevant materials/documents shall be granted to the parties;
- (f) Equally, liberty is reserved to the petitioner to take recourse to such alternative remedies as are otherwise available in accordance with law;
- (g) We are hopeful that as and when petitioner takes recourse to such remedies, as are otherwise available in law, before the appropriate forum, the same shall be dealt with, in accordance with law and with reasonable dispatch;
- (h) Liberty reserved to the petitioner to approach the appropriate forum/Court, should the need so arise subsequently on the same and subsequent cause of action;
- (i) We have not expressed any opinion on merits. All issues are left open;

The petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, shall stand disposed of.