

Serial No. 15 Regular List

HIGH COURT OF MEGHALAYA
AT SHILLONG

WP(C). No.36 of 2018

Date of Order : 29.11.2018

Lyntibashisha Nongrum	Vs.	Hindustan Petroleum Corporation Limited & Ors.
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Coram: Hon'ble Mr. Justice S.R.Sen, Judge

Appearance:

For the Petitioner/Appellant(s) : Mr. G.Uzir, Sr. Adv. with
Mr. M.Saikia, Adv.

For the Respondent(s) : Mr. M.R.Islam, Adv. for R 1-4.
Mr. P.Nongbri, Adv. for R 5.

Heard learned Sr. counsel for the petitioner, Mr. G.Uzir assisted by Mr. M.Saikia. Also heard Mr. M.R.Islam learned counsel for the respondents No. 1-4 and Mr. P.Nongbri, learned counsel for the respondent No. 5.

The matter came up for hearing.

The dispute herein is that the petitioner as well as the respondent No. 5 has applied for the permit to run a petrol pump from the respondents No. 1-4 (Hindustan Petroleum Corporation Limited).

Learned Sr. counsel for the petitioner submits that inspite of giving the land she was not given the permit without giving any valid reason.

On the other hand, both the learned counsel for the respondents No. 1-4 and learned counsel for the respondent No. 5 submit that petitioner could not meet the norms to run the petrol pump as per the National Highway norms.

The submission of the respondents counsels was refuted by the petitioner counsel who submits that though initially there was shortage of 12

metres of land, but petitioner immediately offered an additional land of 12 metres to get the permit, but the same was not considered.

On the other hand, learned counsel for the respondent No. 5 submits that he is already running the petrol pump.

In such circumstances, this Court directs the respondents to consider the application filed by the petitioner, if any and give her the permit to run an alternative petrol pump and should not reject her petition on mere technicality or personal grudge.

Learned counsel for the respondents No. 1-4 also submits that they have already advertised for new application and if the Court directs, then a corrigendum may be issued adding the location which is NH 44E in West Khasi Hills District.

Accordingly, respondents No. 1-4 are directed that if any application is made by the petitioner, her application should be given priority and be considered. It is also brought to my notice by Mr. T.T.Diengdoh, learned Sr. counsel that Govt. of India is going to grant permit for another 225 petrol pumps in the State of Meghalaya. In such circumstances, petitioner should be accommodated in the NH 44E.

With this observation, this instant writ petition is allowed to that extent and stands disposed of. This whole exercise is to be completed as early as possible. In case any injustice is caused to the petitioner, petitioner will be at liberty to approach the court once again for further direction.

(S.R.Sen)
JUDGE

Meghalaya
29.11.2018
"S.Rynjah PS"