

WPA 8308 of 2025

**Rais Uddin Purkait & Anr.
Vs.
Union of India & Ors.**

Mr. Soumya Majumder
Ms. Sanjukta Dutta

.....for the petitioners

Ms. Debapriya Gupta
Mr. Piyas Choudhury

....for the Union of India

Mr. Prasun Mukherjee
Mr. Deepak Agarwal

.....for the HPCL

The petitioners applied for LPG distributorship licence in terms of a vacancy notification issued by the Hindustan Petroleum Corporation Limited. The petitioners were successful in the draw of lots. After FVC, LOI was issued in their favour on March 30, 2015. It is the contention of the petitioners once litigation was pending in respect of the said location between the HPCL and other persons. Accordingly, the petitioners could not proceed to conclude/carry the conditions laid down in the LOI. Subsequently, vide a letter dated February 19, 2025, LOI of the petitioners was withdrawn by HPCL. It is the contention of the petitioners that the act and action of the respondent-authority in withdrawing the LOI is arbitrary.

The petitioners also argued that the guideline for re-constitution of LPG distributorship, 2022 or nomination by proprietor on LOI stage only in respect of death and permanent disability cases is contrary to the provisions of Rights of Persons with Disabilities (RPWD) Act, 2016.

The petitioners submit that according to the terms of LOI, the petitioners have already complied with the conditions and they have already constructed godown, huge amount of money has been expended. At this juncture, the petitioners seek an interim order so that no third party interest may be created by the respondent-authority.

The HPCL submits that the writ petition itself is not maintainable due to suppression of some material facts. He further submits that the LOI has already been withdrawn. At this stage no interim order may be passed.

Having heard the learned counsel for the parties and also considering the annexures thereof, it appears that the instant writ petition can only be disposed of on affidavits. Accordingly, the respondent authority is directed to file the affidavit-in-opposition against the writ petition within two weeks from date.

Reply, if any, by the petitioners within three weeks thereafter.

Let the matter appear under the heading **“To Be Mentioned”** on August 6, 2025.

Having considered the rival submissions of the parties and also considering the merits thereof, I find no justification to pass any interim order to the petitioners.

(Subhendu Samanta, J.)