

ITEM NO.2

COURT NO.10

SECTION XIIA

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 10571/2013

(Arising out of impugned final judgment and order dated 06/12/2012 in WA No. 1548/2012 passed by the High Court Of A.P. At Hyderabad)

KANALA OBULA REDDY

Petitioner(s)

VERSUS

H.P.C.L. REP.BY IT'S CHAIRMAN & M.D.&ORS

Respondent(s)

(with interim relief and office report)

WITH

SLP(C) No. 13386/2013

(With Office Report)

Date : 10/12/2014 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V. GOPALA GOWDA

HON'BLE MR. JUSTICE C. NAGAPPAN

For Petitioner(s)

Mr. V.V.S. Rao, Sr. Adv.

Mr. Sateesh Galla, Adv.

Mr. Vijay Shree Patnayak, Adv.

Mr. N. Rajaraman, Adv.

For Respondent(s)

Mr. P. Vinay Kumar, Adv.

Mr. Sanjay Kapur, Adv.

Ms. Priyanka Das, Adv.

Mr. Anmol Chandan, Adv.

Ms. Daisy Hannah, Adv.

UPON hearing the counsel the Court made the following
O R D E R

We have heard learned counsel for the parties at length.

On 19.11.2014 the matters were adjourned at the joint request of the learned counsel appearing for the parties

to find out the feasibility to accommodate the petitioner by granting the LPG licensing distribution order between petitioner and the respondent no. 5. Pursuant to that observation, learned counsel appearing for respondent no. 1 made available certain factual particulars regarding number of customer holding. During the financial year 2014-2015, total 8018 customer holdings are available for allotting equally in favour of the petitioner and respondent no. 5. In this view of the matter, they requested this Court not to decide the case on merits particularly having regard to the fact that pursuant to the licensing order granted in favour of the respondent no. 5 by respondent no.1-Hindustan Petroleum Corporation Limited, as she must have made investment for carrying on the LPG distribution business, which is the occupation of the petitioner and her family members. Therefore, it would not be just and proper for this Court to disturb the same.

At the same time, in the facts and circumstances of the case and having regard to the right claimed by the petitioner it would be just and proper for this Court to direct the respondent no. 2, Senior Regional Manager, Hindustan Petroleum Corporation Limited to award LPG distribution licensing order in favour of the petitioner and respondent no. 5 in the ratio of 50% each by equally

dividing 8018 customer holdings to do complete justice to both the parties. This exercise shall be completed within four weeks from the date of receipt of a copy of this order.

With the aforesaid direction and observation to respondent No. 2, we dispose of these special leave petitions.

It is made very clear that this order is being passed keeping in view the peculiar facts and circumstances of the instant case.

(VINOD KR. JHA)
COURT MASTER

(MALA KUMARI SHARMA)
COURT MASTER