

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.369 of 2014

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Smt. Mamta Kumari, W/o Sri Sanjay Kumar Singh, Resident of Village Sher,
Chandparna, P.S.: - Sidhwalia, Dist. : - Gopalganj

.... Petitioner

Versus

1. The Hindustan Petroleum Corporation Limited, (Government of India undertaking) through its General Manager, Petroleum House At 17 Jamshedji Tata Road, Mumbai, 400020
2. The General Manager, LPG East Zone Office, HPCL, EZ-LPG-771, Anandpur, Opp.Em Bye Pass, Kolkata
3. The Senior Regional Manager, HPCL, 6th Floor, Lok Nayak Jai Prakash Bhawan, Post Box No -40, Dak Banglow Chowk

.... Respondents

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Appearance :

For the Petitioner : M/s. Gautam Bose, Sr. Advocate,
Mr. Ajay Kumar, Advocate
For the Respondents : Dr. Pankaj, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

ORAL JUDGMENT

Date: 05-02-2015

Heard learned counsel for the petitioner and the respondents.

Petitioner seeks direction for quashing the letter dated 12.8.2013 (Annexure 1) issued by Sr. Regional Manager, HPCL by which the candidature of the petitioner for distributorship of Rajiv Gandhi Gramin LPV Vitrak (RGGLV) at location Sher Matauli, District, Gopalganj under (C.C.) category has been rejected.

Learned counsel for the petitioner though admits that rejection was on the ground that on the date of submission of

application a sum of rupees two lacs, as required under Clause “Cha” of the advertisement, was not available in the joint account of the petitioner and her husband but subsequently the petitioner had filed an application to show that she possessed an instrument which would validate her application in terms of Clause “Cha” itself.

Per contra, learned counsel for the Hindustan Petroleum Corporation submits that in fact the petitioner had to show that on the date of application she was having two lacs cash or investment in Kishan Vikash Patra and other investments which have been described in Clause “Cha” but the petitioner, while filling up the Form, which has been appended as Annexure B Series, had kept the concerned column i.e., at serial no.10(3) absolutely vacant and has not mentioned that she is possessing any other form of deposit including Kishan Vikash Patra or National Saving Certificate etc. In the absence of anything emanating from the Form it would not be possible for the Corporation to consider her subsequent letter which was filed about a year.

I find force in the submission raised on behalf of the Corporation. The petitioner though has stated that she is having Rs.206100.23/- in her concerned account but the same was not available when verified. So far as other instruments for the said purpose are concerned, since she did not fill up the requisite column

of the Form, therefore, no right would accrue by filing a subsequent application after about one year stating that she was having some instrument for the aforesaid value.

Accordingly, this writ application stands dismissed.

However, it is made clear that this order would not come in the way of the petitioner from making any application pursuant to any fresh advertisement.

(Dr. Ravi Ranjan, J)

Sanjay-II/-

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