

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.21574 of 2013**

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Amit Kumar Singh, son of Vishwamohan Singh, resident of Village + P.O. Gaura,  
P.S. Laxmipur, District Jamui

.... .... Petitioner

Versus

1. The Indian Oil Corporation Limited, G-9 Ali Yavar Jung, Bandra (East)  
Mumbai (Maharashtra) through its Chairman-cum-Managing Director.

2. The Regional Manager, Indian Oil Corporation Limited (Marketing Division)  
Indane Area Office, Begusarai, P.O. Barauni Oil Refinery, District Begusarai

3. The Area Manager, Indian Oil Corporation Limited (Marketing Division)  
Indane Area Office, Begusarai, P.O. Barauni, District Begusarai.

4. The Deputy Manager (L.P.G. – S), Bhagalpur Sales Area, Bhagalpur

.... .... Respondents

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**Appearance :**

For the Petitioner : Mr. Onkar Kumar  
Mr. Nawal Kishore Singh, Advocates

For the Respondents: Mr. Anil Kumar Sinha  
Mr. Amlesh Kumar Verma,  
Mr. Abhimanyu Deo, Advocates

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**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

**ORAL JUDGMENT**

**Date: 17-08-2015**

The present writ petition has been filed for quashing the letter contained in Ref. No.BAO/66R dated 10.09.2013 by which the application of the petitioner for award of *Rajiv Gandhi Gramin LPG Vitrak* (For short “RGGLV) at the location *Guara*, Block *Laxmipur*, District *Jamui*, under open category has been rejected.

2. It is submitted on behalf of the petitioner that pursuant to the advertisement dated 26.02.2012 for selection of LPG distributorship under the scheme of RGGLV, the petitioner applied for the same for location *Guara*, Block *Laxmipur*, District *Jamui* under open category. He submitted that the petitioner fulfilled all the



requisite eligibility criteria for the same including the requirement of land to be furnished by him, however, after selection his application has been rejected by the impugned order dated 10.09.2013 (Annexure-1) on the ground that the offered land was in the name of Smt. *Lalmani Devi* being the grandmother of the petitioner as she did not come within the meaning of “Family Unit” in terms of the advertisement. It is further submitted that *Lalmani Devi* having died, a partition had taken place in the year 2006 in which the petitioner received the share of land which had been offered by the petitioner. The fact of the petitioner having received the share of land after partition has been verified and has been mentioned in the report dated 25.07.2013 by the Revenue *Karmchari* addressed to the Circle Officer, *Laxmipur*.

3. Learned counsel for the respondent-Corporation, on the other hand, submits that in terms of the advertisement itself, the petitioner was required to enclose the requisite documents along with his application including the registered sale deed/ gift deed/mutation document or other government record which was required to be of a date prior to publication of the advertisement in support of his ownership.

4. In the instant case, the application of the petitioner discloses that no such document whatsoever was furnished in respect

of the land claimed to be under his ownership. It is further submitted that on the contrary, the land possession certificate furnished by the petitioner showed that as on the date of submission of application, the land stood in the name of his grandmother. Moreover, the definition “Family Unit” in the case of the married applicant did not include the grandmother.

5. Having heard the parties and perused the materials on record, this Court is of the view that the petitioner’s claim cannot be sustained. A perusal of the petitioner’s application form shows that the column requiring details of the documents such as sale deed/gift deed/mutation paper etc. to be furnished was left blank. It is also not in dispute that as on the date of application, the land stood in the name of the petitioner’s grandmother and thus, did not meet with the requirements of the advertisement.

6. In the above circumstances, therefore, this Court finds no merit in the writ petition which is, accordingly, dismissed.

7. As the writ petition has been dismissed, no order need be passed on I.A. No. 4486 of 2015 and I.A. No. 6585 of 2015.

**(Vikash Jain, J)**

B.T/-

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