

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15711 of 2010

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Gayanti Kumari, W/O Shri Bhim Singh, R/O Vill. + P.S.- Barun, Distt.-
Aurangabad (Bihar)

.... Petitioner/s

Versus

1. The Indian Oil Corporation Limited, 1st Floor, Shashi Bhawan,
Exhibition Road, Patna through its General Manager
2. The General Manager, Indian Oil Corporation Limited, 1st Floor, Shashi
Bhawan, Exhibition Road, Patna
3. The Senior Area Manager, Indian Oil Corporation Limited (Marketing
Division), Bihar State Office, 5th Floor, Lok Nayak Bhawan, Dak Bunglow
Chowk, Patna
4. Shri Mirtunjay Kumar Pandey, S/O Banshidhar Pandey, R/O Vill.-
Barun, P.S.- Barun, Distt.- Aurangabad (Bihar)

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Respondent nos.1to3: Mr. Anil Kumar Sinha

Mr.Amlesh Verma

Mr.Ankit Katriar

For the Respondent no.4 : Mr.Brij Bhari Tiwary

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 24-04-2015 Heard the parties.

The matter at issue is the award of Rajiv Gandhi Gramin LPG Distributorship (RGGLV) at location Barun in the district of Aurangabad by the respondent Indian Oil Corporation on the basis of the advertisement dated 17.10.2009, part of which has been brought on record as Annexure-1 to the writ petition. The petitioner is aggrieved by the selection of the respondent no.4 for award of the aforesaid distributorship at the location in question.

The only ground taken by the learned counsel appearing on behalf of the petitioner to assail the selection of the respondent no.4 is that he was having no suitable lands at the location in question.

Learned counsel appearing on behalf of the respondent Indian Oil Corporation, by referring to the advertisement dated 17.10.2009 and the corrigendum brought thereafter, submits that

the last date for submission of application form by the eligible candidate was 27.11.2009. By referring to the averments made in the counter affidavit filed on behalf of the respondent nos.1, 2 and 3 as also supplementary counter affidavit filed on their behalf, it is submitted that the respondent no.4 was having suitable lands at the location in question for award of the LPG distributorship. In support of the above contentions, he has placed reliance on the affidavits sworn by the father of the respondent no.4 on 25.11.2009 which was before the last date for submission of the application form. It is also pointed out that the objection raised on behalf of the petitioner regarding non-offering of suitable land by the respondent no.4 was investigated by the Field Investigation Report Committee and after such investigation the objection raised on behalf of the petitioner was rejected by the order/communication dated 04.11.2010 (Annexure-R/9 annexed with the supplementary counter affidavit).

Though, learned counsel appearing on behalf of the petitioner has argued the matter at great length, but he has not been able to point out violation of any statutory provisions or violation of the terms and conditions of the advertisement or the brochure issued by the respondent Indian Oil Corporation.

In the aforesaid factual matrix, I am afraid the relief sought for on behalf of the petitioner cannot be granted to the petitioner particularly in the background that the LPG distributorship was commissioned way back on 29.03.2011.

In the result, the writ petition has to fail and is, accordingly, dismissed.

Arvind/-

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(Birendra Prasad Verma, J)