

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Review No.295 of 2014

In
Civil Writ Jurisdiction Case No. 5636 of 2011

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DEVENDRA KUMAR SINGH, SON OF LATE SUKHNANDAN SINGH, RESIDENT
OF VILLAGE GIDHA, POLICE STATION KOILWAR, DISTRICT BHOJPUR AT
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.... Petitioner/s

Versus

The Chairman, Indian Oil Corporation Limited & Ors.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Pd. Singh, Sr. Advocate
Mr. N. Yesu, Advocate

For the Respondent/s : Mr. Anil Kr. Sinha and Mr. A. Deo, Advocates

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**
ORAL ORDER

5 02-09-2015 Heard learned counsel for the petitioner and learned
counsel for the IOC.

The petitioner seeks review of order dated 8.7.2014,
passed in C.W.J.C.No. 5636 of 2011 by which the writ petition
was disposed of with following observations:-

“8. It is not in dispute that the petitioner’s family was a major land loser. He candidly in order to meet the sudden financial crisis consequent to acquisition of his land submitted a fake certificate.

9. As the impugned order of dismissal affirmed in Appeal is based upon own guilt of the petitioner, I do not find it appropriate to interfere with the impugned orders or either to pass any positive direction to employ his son in his place, who in year 1999 was a school student, as was prayed in the alternative. However, in case, if future vacancies are notified/advertised, and the petitioner’s son/daughter applies and is otherwise eligible, his/her case should also be considered along with others sympathetically, as his family has lost major portion of land in acquisition”.

The petitioner, while referring to paragraph 24 of the review application, states that while considering the case of the petitioner the Headquarters at Mumbai was of the view that there was scope for interference and re-look into the matter of reinstatement of the petitioner in service. Such opinion was expressed vide communication dated 1.3.2006 in which it had also been made clear that authority superior to General Manager(RS) ER could consider case of petitioner favourably in terms of Clause 22 of the standing order of the company. He further submits that in the said communication, it was accepted that 35 years of age was applicable in case of Land losers on 31.12.1999 which was a cut off date.

Order dated 8.7.2014 is reviewed to the extent that the petitioner may bring to notice of the relevant authority of the Company, the letter dated 1.3.2006 of the headquarters at Mumbai. I have already observed in the order under review that if any vacancy arises, petitioner's son or daughter may apply, which application would be duly considered along with others sympathetically.

(Samarendra Pratap Singh, J)

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