

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9490 of 2010

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Jyoti Kumari D/O Jagarnath Choudhary, R/O Vill.- Sanjhouli, P.O.-
Sanjhouli, P.S. + Block- Sanjhouli, Distt.- Rohtas

.... Petitioner/s

Versus

1. The Union of India through Secretary Ministry of Petroleum, New Delhi
2. The Indian Oil Corporation Limited through the Managing Director Exhibition Road, Patna
3. The Senior Area Manager, Patna Indane Area Office, Exhibition Road, Patna
4. The Area Manager Indane Area Office, Exhibition Road, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Respondent No.1: Mr. Kanak Verma

For the Respondent No.2 to 4:Mr. Kali Das Chatterji, Sr. Adv.
Mr. Amlesh Kumar Verma

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

4 19-03-2015 Heard the parties.

The petitioner has filed the present writ petition under Article 226 of the Constitution of India seeking a direction to the respondent Indian Oil Corporation Limited and its functionaries to award Rajiv Gandhi LPG distributorship to the petitioner at Sanjhaul in the district of Rohtas.

Learned counsel appearing on behalf of the petitioner submits that the petitioner applied for the aforesaid distributorship and she fulfils all the conditions for the same, yet distributorship is not being allotted by the respondent Indian Oil Corporation. Therefore, according to him, a writ of mandamus may be issued to the respondent Corporation for her appointment as Rajiv Gandhi LPG Bitrak for the location in question.

A counter-affidavit has been filed on behalf of the respondent no. 2 to 4 controverting the claims raised on behalf of

the petitioner.

Learned senior counsel appearing on behalf of the respondent no. 2 to 4 submits that, in fact, the petitioner does not fulfil the condition. Therefore, her candidature was rejected. It is further contended that on completion of selection process one Sunil Kumar Patel was issued letter of appointment for the aforesaid distributorship as far back as on 31.03.2011.

After having heard the parties and on consideration of the materials available on record, this Court finds that the petitioner has not brought all the relevant materials on records, which are essential for proper adjudication of the issues raised in the present writ petition. The order rejecting her candidature for the aforesaid distributorship has neither been brought on record nor it has been assailed. The selection of Sunil Kumar Patel and issuance of letter of appointment in his favour for the aforesaid distributorship has also not been challenged in the present proceeding. Furthermore, aforesaid Sunil Kumar Patel has not been impleaded as party respondent.

In above view of the matter, no relief can be granted to the petitioner in the present writ petition. Consequently, the writ petition has to fail and is, accordingly, dismissed, but there shall be no order as to costs.

(Birendra Prasad Verma, J)

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