

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20039 of 2012

Mayank @ Mayank Mouli son of Late Dr. Aniruddha Mishra Resident of Village - Kuisa Khurd, P.O. - Mahuwan, P.S. - Kateya, District - Gopalganj

.... Petitioner

Versus

1. The Union of India, through the Secretary, Department of Petroleum, Government of India, New Delhi
2. The Secretary, Department of Petroleum, Government of India, New Delhi
3. The Indian Oil Corporation Limited through its Chairman and Managing Director, At - Bandra (East), Mumbai
4. The Chairman-Cum-Managing Director, Indian Oil Corporation Limited, G-9, Ali Yavar Jang Marg, Bandra (East), Mumbai
5. The Officer In Charge (Marketing Division), Eastern Region, Indane Area Office, Indian Oil Corporation Ltd, 1st Floor, Shahi Bhawan, Exhibition Road, Patna
6. The Chief Area Manager, Patna AO (Marketing Division), Eastern Region Indane Area Office, Indian Oil Corporation Ltd, 1st Floor, Shahi Bhawan, Exhibition Road, Patna
7. Sandip Mishra Son of Late Dr, Aniruddha Mishra Resident of Village - Kuisa Khurd, P.O. - Mahuwan, P.S. - Kateya, District - Gopalganj
8. Dhananjay Kumar Rai, son of Late Baccha Rai, resident of Village- Bhathwan Khurd, P.O.- Mahuawan, P.S.- Kateya, Distt.- Gopalganj

.... Respondents

Appearance:

For the Petitioner : None
For the Respondents IOCL : Mr. Anil Kumar Jha, Sr. Advocate
For the Respondent No. 8 : Mr. Ashish Giri, Advocate

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 03-10-2016

The present writ petition has been filed for quashing memo dated 13.09.2012 by which the respondent no. 6 has canceled the candidature of the petitioner for the Rajiv Gandhi Gramin LPG Vitrak (for short "RGGLV") distributorship and further for a direction to the respondent authorities to sign the agreement with the petitioner as the petitioner is a valid candidate selected through the draw held on

26.11.2011.

2. None appears on behalf of the petitioner despite repeated calls today.

3. Learned senior counsel appearing on behalf of the respondent Corporation as well as learned counsel appearing for the private respondent no. 8 submit that the impugned order dated 13.09.2012 has rightly been passed inasmuch as the offered land stood in the name of the petitioner's grand father as on the date of application namely, 29.03.2011 and the same therefore, was not eligible for being considered. Moreover, the names of the petitioner along with his married brother were included much later on 08.02.2012 and according to the affidavit the petitioner's brother was a married person and hence not covered within the definition of 'family unit'.

4. Under the circumstances, this Court does not find any merit in the writ petition, which is accordingly dismissed.

(Vikash Jain, J)

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