

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1706 of 2012

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Kamlesh Kumar Jha S/O Late Bidya Nand Jha resident of At & P.O. Kharka, P.S. Nanpur, District -Sitamarhi

.... Petitioner

Versus

1. The Union of India through its General Manager, Indian Oil Corporation Limited G-9, Ali Tower, Jung Road, Bandra East, Mumbai
2. Deputy Manager, Indian Oil Corporation Limited, Lok Nayak Jai Prakash Bhawan, 5th Floor, Dak Bunglow Road, Patna-1
3. Senior Area Manager, Indane Area Office Patna, First Floor, Shahi Bhawan, Exhibition Road, Patna
4. Mr. Rajiv Kumar son of Parmanand Jha, resident of village Kharka, P.S. Nanpur District Sitamarhi.

.... Respondents

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Appearance :

For the Petitioner : Mr. Anil Kumar Tiwary, &
Mr. Baeye Jee Jha (B.J. Jha), 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: 21-06-2016

The present writ application has been filed for setting aside the order dated 13.10.2011 (annexure-3) by which the petitioner has been held not eligible for award of Rajiv Gandhi Gram LPG Vitrak (hereinafter called the RGGLV) for which the petitioner had applied pursuant to advertisement dated 28.02.2011 for the location Bokhra/Kharka Basant.

2. Learned counsel for the petitioner submits that the rejection of his candidature is arbitrary and he has been prevented from participating in the draw of lots or even filing any



representation against the impugned order which has been received by him after inordinate delay by reason of the same having been dispatched at an incorrect address. It is submitted that the petitioner was eligible for the allotment in question as he had fulfilled all the requisites therefor.

3. Learned counsel for the respondent Corporation, on the other hand, submits that the case of the petitioner has no leg to stand on, considering that the petitioner's application itself was invalid. It is pointed out that the requisite details of land were not filled up in the application form being a mandatory pre-condition, and the relevant table in column no. 9 requiring various particulars of the land was left entirely blank. Similarly, the petitioner had ticked both columns "single" and "married" with regard to marital status as required in column 7.7 of the application. Most significantly the declaration requiring verification by the applicant was also left blank except for signature, which invalidated the application form itself.

4. Having heard the parties and on consideration of the materials on record, this Court finds merit in the submissions of the learned counsel for the respondents. If the application form was not properly verified, the same could not be treated as a valid application apart from the fact that material particulars of a mandatory nature requiring particulars of land and marital status had

not been properly furnished. The petitioner could thus have no claim for allotment of Rajiv Gandhi LPG Vitrak.

5. This writ application is, accordingly, dismissed.

(Vikash Jain, J)

Amin/-

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