

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18821 of 2011

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1. Neha, wife of Sanjay Kumar Triyogi, resident of Village- Phulwaria, P.O.-
Phulwaria, P.S.-Phulwaria, District- Gopalganj

.... Petitioner

Versus

1. The Regional Manager, Hindustan Petroleum Corporation Limited, Having his
Office 6th Floor, Lok Nayak Jay Prakash Bhawan, Dak Bunglow Chowk, Patna.
2. The Accounts Officer, Patna, L.P.G. Region Hindustan Petroleum Corporation
Limited, 6th Floor, Lok Nayak Jay Prakash Bhawan, Dak Bunglow Chowk, Patna.
3. Prince Kumar Roy S/O Birendra Roy, resident of Village- Phulwaria, P.S.-
Phulwaria, Distt.- Gopalganj

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Adv.

For the Respondent/s : Mr. Ranjit Sharan, Adv.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 01-04-2016

Heard learned counsel for the petitioner and the
respondents.

2. The present writ petition has been filed for a
direction to the respondents to grant licence of dealership of
Rajiv Gandhi Gramin L.P.G. Vitrak (for short, "R.G.G.L.V.")
L.P.G. Godown and showroom of H.P.C. at Phulwaria District-
Gopalganj.

3. According to the petitioner, the respondent
Corporation issued advertisement on 28.02.2011 for
appointment of dealers for R.G.G.L.V., in response to which the
petitioner filed her application. The petitioner's candidature
however was not accepted and the dealership was awarded to

the respondent no. 3 herein on the basis of draw. The petitioner filed a complaint dated 26.07.2011 (Annexure-3) on the ground that the respondent no. 3 was not eligible to be appointed as a dealer having not fulfilled the criteria of the advertisement.

4. Learned counsel for the respondent Corporation, on the other hand, submits that no fault can be found with the action of the Corporation. He invites attention to para-12.02 of the counter affidavit to submit that the respondent no. 3 who was successful in the draw had duly fulfilled the criteria of the advertisement and had the requisite minimum amount of Rs. 2,00,000/- in the Savings Bank Account, which fact was also accepted by the petitioner. Similarly, the requirement of land for construction of godown was also satisfied by the respondent no. 3. It is stated that the petitioner's complaint has been duly considered and disposed of in terms of letter dated 27.07.2011 (Annexure-3/B to the writ petition).

5. Having heard the parties and on consideration of the materials on record, this Court finds the writ petition to be devoid of any merit. The respondent Corporation has narrated the manner in which the respondent no. 3 had satisfied the eligibility criteria for being appointed dealer on the basis of averments contained in its counter affidavit. The petitioner has not filed any rejoinder to the counter affidavit and as such the

averments in the counter affidavit have not been disputed by the petitioner. Significantly, the Corporation's letter dated 27.07.2011 disposing of the petitioner's complaint has not been questioned in the present writ petition nor has the petitioner sought that the same be quashed.

6. In the above view of the matter, the writ petition stands dismissed.

(Vikash Jain, J)

Md. Ibrarul/-

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