

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.22735 of 2011

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Ram Kumar Mahto, son of Kailash Prasad Mahto, resident of Village-
Gauramansingh, P.S- Jamalpur, District- Darbhanga.

.... Petitioner/s

Versus

1. The Union of India through the Secretary Department and Ministry of Petroleum, New Delhi.
2. Assistant Manager (L.P.G.), Bharat Petroleum Corporation Limited, Patna L.P.G. Territory Fatuha Industrial Eastate, Fatuha, Patna.
3. The Territory Manager (L.P.G.), Bharat Petroleum Corporation Limited, Patna L.P.G. Territory, Fatuha, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Choudhary, Adv.
Mr. Praful Chandra Thakur, Adv.

For the BPCL : Mr. Madhuresh Prasad, Adv.
Mr. Abhay Shanker, Adv.
Mrs. Kanak Verma, C.G.C

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 05-08-2016

The present writ petition has been filed for a direction to the respondents to award the RGGLV agency for Gauramansingh in the district of Darbhanga to the petitioner.

2. Learned counsel for the petitioner submits that all requisite documents had been furnished by the petitioner who had been selected, but however, the distributorship was not awarded to the petitioner.

3. Learned counsel for the respondent Corporation submits that the petitioner was not awarded the distributorship in question for a number of reasons. It is stated that the land offered by the petitioner stood in his father's name which was not fit to be considered in view of the definition of 'family unit'. The petitioner had wrongly stated that the land offered belonged to him and no registered deed in respect of such claim had been furnished. On field verification, the value of the land was found to be

to the tune of only Rs. 1,05,853/- against the total value of Rs. 2,45,720/- declared in the petitioner's application. It was further found during the FVC that access to the petitioner's plot was through some private road for which the petitioner did not produce any registered document. The distributorship has since been awarded to M/s Baby Bharat Gramin Vitrak and the LOI has already been issued on 25.02.2012 in favour of Md. Zakir Hussain.

4. Despite a copy of the counter affidavit having been served on the petitioner as far back as on 10.05.2016 and sufficient opportunity for filing a rejoinder granted to the petitioner by orders dated 21.06.2016 onwards, no rejoinder has yet been filed on behalf of the petitioner.

5. Having heard the parties and on a consideration of the materials on record, this Court finds the writ petition to be devoid of any merit. The petitioner clearly did not fulfill the requisite terms and conditions for award of RGGLV in his favour, considering that the land offered stood in his father's name and did not qualify for consideration. So also, no registered deed appears to have been furnished in respect of the approach road. During FVC, a shortfall in the value of the fixed deposits was also found as against the value shown in the application. In such circumstances, no interference by this Court is called for.

6. The writ petition accordingly stands dismissed.

(Vikash Jain, J)

Md. Ibrarul/-

AFR/NAFR	NAFR
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