

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1734 of 2014
IN
Civil Writ Jurisdiction Case No. 8232 of 2013**

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Abhimanyu Singh son of Sri Chandramauli Singh Resident of village Garhani
Station Police Station Garahani District - Bhojpur.

.... Appellant

Versus

1. The Union of India through the Secretary Ministry of Petroleum, New Delhi.
2. The Managing Director Manager Indian Oil Corporation Limited 1st Floor, Shahi Bhawan, Exhibition Road, Patna.
3. Chief Area Manager, Indian Oil Corporation Limited, 1st Floor, Shahi Bhawan, Exhibition Road, Patna.

.... Respondents

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Appearance :

For the Appellant : Mr. Arabind Nath Pandey, Advocate
For the Respondents : Mr. Anil Kumar Jha, Senior Advocate
Mr. Sanat Kumar Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 15-05-2017

Heard counsel for the parties.

Writ application of the petitioner, who is appellant before this Court, was dismissed on 20.06.2014. The learned single Judge refused to interfere with the decision of the Indian Oil Corporation to reject the application of the appellant for consideration for appointment as a Rajiv Gandhi Gramin LPG Vitrak vide order dated 28.03.2013.

The learned single Judge took note of the fact that the advertisement published on 17.10.2009 mentioned the location as



village Garhani. The learned single Judge also took note of the following facts :

“An advertisement was published on 17.10.2009 by the respondent Corporation in which the location has been shown as village Garhani. Admittedly, the petitioner is a resident of revenue village Dhamania which is stated to be part of the Garhani Station and located within Garhani Thana and as per the report of the Circle Officer, it is one of the four villages which are broadly known as village Garhani in local parlance, namely, Garhani Khas, Garhani Taluk, Dhamania and Barap. The said villages form part of the Garhani Police Station. The petitioner, accordingly, claims that the rejection of his candidature on the ground of his residence and land which are at revenue village- Dhamania and Barap respectively, is not correct.

Learned counsel for the Indian Oil Corporation, on the other hand, submits that in the advertisement when the location column is given as town/village, reference to the village would mean a revenue village and not any other area which may be considered as part of any larger cluster of villages.

For the said reason, the petitioner being the resident of another revenue village-Dhamania, his candidature cannot be taken into consideration for the selection of RGGLV for location Garhani village.”

It is not open to an applicant to give interpretation as to what the location means and what it includes. Since these locations are specifically identified and advertised by the Company with



commercial interest coupled with the population, which is required to be fed by such distributorship, the Company knows best as to what kind of candidate and what location, the advertisement is meant for. From what has been noticed in the earlier part of the order, especially extracted from the learned single Judge’s findings, it is evident that the appellant has tried to give a broader meaning to the word ‘revenue village’ to justify his residence as well as the land location, which is not permissible.

In addition to that the Court has been informed that the selection has been completed, the distributorship has been commissioned as far back as on 02.05.2014. If that be so, no relief to the appellant can be extended by interfering with the order dated 20.06.2014.

Appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Pawan/-

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CAV DATE	N/A
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