

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.770 of 2016

In
Civil Writ Jurisdiction Case No.9717 of 2014

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Nitu Kumari wife of Vinod Kumar, Resident of Village- Ramgarh, P.O
Siswan, P.S. Siswan, District- Siwan

... .. Appellant/s

Versus

1. The MD of Indian Oil Corporation, Eastern Region, Marketing Division,
Indene Area Office, Patna.
2. The Chief Area Manager, Patna Area Office, Indian Oil Corporation, Limited,
First Floor, Shahi Bhawan, Exhibition Road, Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Rajani Kant Pandey
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

10 22-11-2017 Delay of 5 days is condoned. I. A. No.5708 of 2016 is
allowed. Matter is taken up on merits thereafter.

Submission of the counsel for the appellant is that since the
second land, which was offered by the petitioner, was in the
name of the father- in- law and since he was dead, natural
corollary will be that it will come by way of inheritance to the
husband of the present petitioner and, therefore, the land should
have been treated belonging to the family unit. The
advertisement is unambiguous. The Indian Oil authority is not
here to sit and decide the inheritance part. There should be clear



documentation with regard to the name and title of the land in question. If any exercise in this regard is taken, it is bound to create unnecessary controversy and arguments on behalf of other eligible candidates. It is also accepted position that the first land, which was offered by the petitioner for consideration, did not fall in the area of the advertised location. That made her ineligible. The second offer did not fit the bills in terms of the advertisement and that is the reason why the learned Single Judge dismissed the writ application, which does not merit any reconsideration.

Appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

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