

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1009 of 2009

Nandinee Kumari, daughter of late Raghunath Pandey, resident of village Madapur, Post Kharauna, District-Muzaffarpur

... .. Appellant/s

Versus

1. The Indian Oil Corporation Ltd. Through its Chairman, Indian Oil Bhawan, Janpath, New Delhi- 110001
2. The Chief Vigilance Officer, Indian Oil Corporation Ltd. Core-2 Scope Complex, Institutional Area, Lodhi Road, New Delhi
3. The Managing Director (Vigilance) Eastern Range, Indian Oil Corporation Limited, Gariahat Road, Dakuriya, Kolkata
4. Deputy General Manager (Vig.), ER Indian Oil Corporation Ltde. Gariahat Road (South), Dakuriya, Kolkata
5. The General Manager, Indian Oil Corporation Ltd. Jaiprakash Bhawan, 5th Floor, Dak Bungalow Road, Patna
6. The Senior Divisional Retail Sales Manager, Indian Oil Corporation Ltd. Mourhyalok Complex, Dak Bungalow Road, Patna
7. The State Retail Sales Manager (Lubes) Indian Oil Corporation Ltd. 5th Floor Lok Nayak Jaiprakash Bhawan, Dak Bungalow Chowk, Patna
8. Archana Kumari, w/o Tripurari Jha, resident of Mohalla Miskouth, P.O. Ramna, P.S. Mithanpura, district Muzaffarpur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.
For the Respondent/s	:	Mr. K.D.Chatterji, Sr. Advocate
		Mr. Amlesh Kumar Verma, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 05-09-2017

Seeking exception to an order dated 29.4.2009 passed by the Writ Court in CWJC No. 12307 of 2007 this appeal has been filed under Clause 10 of the Letters Patent in a matter pertaining to allotment of petroleum retail outlet under the Kisan Seva Kendra.

The appellant was a candidate and in the first round of selection she participated and there being some mistake in the



selection process in the first interview, the same was cancelled and in the second interview conducted among the eligible candidates, the appellant participated and having failed therein challenged the second interview contending that her second interview cannot be held when the result of the first interview declared and selection process finalised.

The writ court rejected the aforesaid contention and was of the considered view that once she participated in the second interview, she cannot claim selection on the basis of first interview which was cancelled.

We are of the considered view that the aforesaid principle followed by the writ court is approved by the Supreme Court in the case of **Ashok Kumar & anr. Vs. The State of Bihar & Ors.:** (2017) 4 SCC 377.

We find no error in the order of the learned writ court warranting reconsideration. The appeal is dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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