

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.228 of 2017

IN

Civil Writ Jurisdiction Case No. 15136 of 2016

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Abhimanyu Kumar, Son of Sri Arun Kumar Singh, Resident of village - Paradih,
P.S. Keoti, District – Darbhanga.

.... Petitioner- Appellant/s

Versus

1. The Indian Oil Corporation Ltd. having its registered office at G - 9, Ali Yavar Jung Marg, Bandra (East), Mumbai through its Chairman - Cum - Managing Director.
2. The General Manager, Bihar State Office, Indian Oil Corporation Ltd., (MD) at 5th Floor, Lok Nayak Bhawan, Dakbungalow Crossing, P.S. Kotwali, Town and District Patna.
3. The Deputy General Manager (LPG), Bihar State office, Indian Oil Corporation Ltd. (MD) at 5th Floor, Lok Nayak Bhawan, Dakbungalow Crossing, P.S. Kotwali, Town and District – Patna.
4. The Regional Manager, Indian Oil Corporation Ltd. (MD) Indane Area Office, Begusarai, P.O. Barauni Oil Refinery, District – Begusarai.
5. The Area Manager, Begusarai AO, Indian Oil Corporation Ltd. (MD) Indane Area Office, Begusarai, P.O. Barauni Oil Refinery, District – Begusarai.
6. The Assistant Manager, LPG Sales, Indian Oil Corporation Ltd. (MD) Indane Area Office, Begusarai, P.O. Barauni Oil Refinery, District - Begusarai

.... Respondents- Respondent/s

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Appearance :

For the Appellant/s : Mr. Chitaranjan Sinha, Senior Advocate
Mr. Alok Kumar Agrawal, Advocate

For the Respondent/s : Mr. Anil Kumar Sinha, Advocate
Mr. Amlesh Kr. Verma, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 03-05-2017

Seeking exception to an order dated 14.09.2016 passed by the learned Writ Court in CWJC No.15136 of 2016, this appeal has been filed under Clause X of the Letters Patent.

An advertisement was issued by the Indian Oil Corporation for grant of LPG distributorship for the location Jhanjharpur-I, District Madhubani. Even though an order was passed making the allotment to the petitioner, it was cancelled vide letter dated 29.08.2016 and challenging the same, the writ petition was filed. The learned Writ Court found that for the same dealership and the land declared by the petitioner, the same was shown to have been the land offered by various other applicants, i.e. five other candidates, who also submitted the candidatures for the advertised location, submitted the same lands and taking note of various aspects of the matter, the learned Writ Court has found that in cancelling the dealership, no error has been committed. It was found by the learned Writ Court that there cannot be five lease deeds with respect to the same land on the same date and finding there to be certain fraudulent transactions; the learned Writ Court held that in cancelling the dealership, no error has been committed by the



Corporation.

In our considered view, the learned Writ Court has not committed any error in doing so. We also do not find any case for interference in the peculiar facts and circumstances of the present case. The appeal is, therefore, dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

Sunil/-

AFR/NAFR	N.A.F.R.
CAV DATE	N. A.
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