

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1543 of 2013

IN

Civil Writ Jurisdiction Case No. 10419 of 2011

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Meena Verma W/O Sri Bharat Verma Resident Of Village Naika Tola, P.O. And
Police Station- Jagdishpur, District- Bhojpur (Ara)

.... Appellant

Versus

1. Hindustan Petroleum Corporation Limited, Through Its General Manager, Ncz, 17, Jamshedji Tata Road, Mumbai
2. Senior Manager- Re And Misc- Ncz, Hindustan Petroleum Corporation Ltd., 17, Jamshedji Tata Road, Mumbai
3. Deputy General Manager, Ncz, Hindustan Petroleum Corporation Ltd, Lucknow (U.P.)
4. Senior Regional Manager, Lok Nayak Jai Prakash Bhawan 6th Floor, Post Box No. 40, Dak Bunglow Chowk, Patna
5. Sri Vijay Kumar Son Of Sarju Singh Resident Of Village Dewagna, Police Station Dawath, P.O. Kowath, District Rohtas At Sasaram

.... Respondents

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Appearance :

For the Appellant : Mr. Sandip Singh, Advocate

For the Respondent HPCL: Mr. Rajeev Prakash, 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: 02-03-2017

Since the writ application of the present appellant was dismissed by the learned single Judge vide his order dated 29.08.2013 passed in C.W.J.C. No. 10419 of 2011, the present appeal has been filed under the Letters Patent of the Patna High Court.

The grievance of the appellant is that a wrongful decision was taken by the respondent Hindustan Petroleum Corporation Limited in appointing the short listed candidate at No. 1



because he did not meet the requisite requirements. An enquiry was held behind the back of the present appellant, which was her complaint and, therefore, it is a malafide action on the part of the Company to brush aside the objection and ignore the claim of the present appellant.

The learned single Judge has made a detailed consideration of the factual aspect of the matter as well. What the appellant is talking about as an enquiry is not an enquiry but a verification of facts and the allegations on the ground. None of the allegations were found to be correct and the selection of the first empanelled candidate and his right to be selected and appointed could not be defeated by those allegations, which were more made than made out. It was in this background that the learned single Judge dismissed the writ application holding that there was no infirmity or illegality in the consideration of the grievance of the present appellant because a detailed consideration and order was passed by the Grievance Redressal Committee and communicated to her.

It is a case of a person who had lost out in the overall assessment and, therefore, as a desperate measure, through a Court of law to somehow wants to knock out the first candidate in the merit position from the zone of consideration.



There is no merit in the appeal. Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Pawan/-

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