

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4253 of 2011

=====

Firdous Jahan, wife of Sri Azmat Ali, resident of Village Darpa, Tola-Pipra, P.S.-
Darpa, Dist.-East Champaran

.... Petitioner/s

Versus

1. Hindustan Petroleum Corporation Ltd., 17, Jamshedji Tata Road, Mumbai-400020, Maharashtra State through its General Manager.
2. The General Manager, Hindustan Petroleum Corporation Ltd., 17, Jamshedji Tata Road, Mumbai-400020, Maharashtra State
3. The Deputy General Manager, Hindustan Petroleum Corporation Ltd., North Central Zone, Lucknow, Uttar Pradesh
4. The Senior Regional Manager, Hindustan Petroleum Corporation Ltd., Patna Retail Region, Begusarai, Dist.-Begusarai
5. The Area Sales Officer, Hindustan Petroleum Corporation Ltd., Motihari, Dist.-East Champaran
6. Arvind Kumar, son of Sri Hari Shankar Prasad, Resident Of Village Bhawanipur Zirat, P.S.-Chhauradano, Dist.-East Champaran
7. Arun Kumar, son of Late Mangal Prasad, resident of Village and P.S.-Chhauradano, Dist.-East Champaran
8. Subhash Kumar Sah, father's name not known to the petitioner, resident of Village and P.S.-Dhaka, Dist.-East Champaran
9. Irshadul Haque, son of Late Md. Ezazul Haque, resident of Village Pipra, P.S.-Darpa, Dist.-East Champaran

.... Respondent/s

=====

Appearance :

For the Petitioner : Mr. Janki Nandan Prasad, Advocate
For Respondent-HPCL : Mr. Rajeev Prakash, Advocate

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

Date: 04-07-2017

Heard learned counsel for the petitioner and the learned counsel for the respondent-HPCL.

2. The present writ application has been filed for quashing the provisional merit panel for selection of retail outlet dealer and for a direction to Respondent Nos.1 to 5 to revise the merit panel by placing the petitioner at serial no.1 in the merit panel. The petitioner has also prayed for issuance of Letter of Intent



(LOI) in favour of the petitioner for Retail Outlet Dealership at location Chhauradano Chowk to 2 Km towards Motihari in the district of East Champaran.

3. The questions raised by the writ petitioner relate to the questions of fact, which have already been decided by the competent authority and unless and until such issues are found to be wholly unreasonable and perverse, this Court would not question the decision of the authority in such matters.

4. Moreover, as pointed out by the learned counsel for the respondent-HPCL, the petitioner was placed down in the list of empanelled candidates being placed at serial no.5.

5. The counter affidavit filed by the respondents has fully supported the decision of the competent authority which has come to its finding by means of a reasoned order. Moreover, the retail outlet has already been commissioned on 24.11.2011 and this Court cannot delve into the disputed question of fact once the authority has given a finding in support of a person who has been issued a Letter of Intent (LOI).

6. The writ application is devoid of any merit and is fit to be dismissed. It is, accordingly, dismissed. No costs.

(Anjana Mishra, J)

PNM

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	11.07.2017
Transmission Date	N.A.

