

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1558 of 2013

IN

Civil Writ Jurisdiction Case No. 22806 of 2012

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Manoj Prasad Singh Son Of Chhotelal Prasad Resident Of Village + Post-
Gopalbad, P.S.- Sarmera, District- Nalanda

.... Appellant/s

Versus

1. The Union Of India Through Secretary Department Of Petroleum, Govt. Of India, New Delhi
2. The Bharat Petroleum Corporation Limited, Through Its Managing Director, Registered Office, Bharat Bhawan- 4 & 6 Currimbhoy Road Ballard Estate, P.N. No. Mumbai East
3. The Regional Marketing Manager Petroleum Corporation Ltd. Ashiyana Chamber Iiird Floor Exhibition Road, Patna- 1
4. The State Coordinator, Bihar, Bharat Petroleum Corporation Ltd.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Amaresh Kumar

For the Respondent/s : Mr.

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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

Heard learned counsel for the appellant and the
respondents.

Delay of 109 days in filing the appeal is condoned.

I. A. No. 8578 of 2013 is allowed.

Matter is thereafter taken up on merits.

The writ application was dismissed by the Learned
Single Judge by order, dated 03.05.2013, refusing to interfere or
grant any relief against the decision of the Oil Company to grant him



marks under the category of land.

The minimum measurement for requirement of land was advertised. If the land of the petitioner on actual physical verification did not match the dimension, which is required for such retail outlet, refusal to award marks under the head of land to the appellant by the company cannot be said to be arbitrary. This obviously had a fall out on his chances to succeed, but it was due to misdeclaration by the appellant for which he has to suffer.

Learned Single Judge, therefore, has refused to pass any order and in the opinion of this Court, he has committed no error in law or in fact.

Appeal has no merit, it is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	06.03.2017
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