

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1589 of 2014

IN
Civil Writ Jurisdiction Case No. 9414 of 2013

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Mrs. Chitralkha Devi, wife of Dr. Rajender Singh, R/o Mohalla – Nai Basti, Fatehpur Bye-Pass Road, Siwan, District – Siwan.

.... Appellant

Versus

1. The Union of India through Secretary, Oil and Natural Gas, New Delhi.
2. The Indian Oil Corporation Ltd. Through its Chairman, Mumbai.
3. The General Manager, Hindustan Petroleum Corporation, Lok Nayak Bhawan, 6th Floor, Dak Bungalow Chowk, Patna, Bihar.
4. The Regional Manager, Hindustan Petroleum Corporation, Lok Nayak Bhawan, 6th Floor, Dak Bungalow Chowk, Patna, Bihar
5. The Senior Divisional Manager, Hindustan Petroleum Corporation, Siwan Division.
6. The Managing Director, Hindustan Petroleum Corporation Ltd. Patna.
7. Sri Vidya Bhusan Prasad, son of Mahanth Choudhary, resident of village – Basopali, P.S. – Basopali, P.S. – Siwan Muffasil, District – Siwan.
8. Mr. Ashif Hussain Khan, son of Asfaque Hussain Khan, resident of village – Lauan, P.O. Haradiya, P.S. – Barharia, District – Siwan.

.... Respondents

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Appearance :

For the Appellant : Mr. Jagjit Roshan, Advocate

For the 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: 10-05-2017

Heard learned counsel for the appellant and
learned counsel for the Hindustan Petroleum Corporation
Limited.

None of the candidates, who became applicant
for allotment of dealership of Hindustan Petroleum,
fulfilled the criteria on one parameter or the other. Since
the learned Single Judge, after going through the
materials as well as the impugned order, as contained in



Annexure-8 to the writ application, did find the measurement of the land not matching the requirement in terms of the advertisement. Even the shape of the land was irregular. The decision of the company not to consider her claim was for the reason that the declaration in the application was not found to be correct on verification.

Learned counsel for the appellant submits that even though the prayer was made for re-measurement of the land it was not done by the company, therefore, prejudice has been caused.

Learned Single Judge has taken note of the map or sketch of the land, which itself shows that shape and size of the land does not meet the requirement. In addition to that, the advertisement is of the year 2011, the entire parameters for selection has now undergone a change.

In view of the same, no interference is warranted with the order of learned Single Judge. This appeal is, accordingly, dismissed.

(Ajay Kumar Tripathi, J.)

(Nilu Agrawal, J.)

Rajeev/-

AFR/NAFR	NAFR
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