

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18958 of 2016

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Amit Kumar Singh, S/o Shri Subhash Chandra Singh, R/o Village- Chakara, PS-Siwan Mufasil, District- Siwan.

.... Petitioner/s

Versus

1. The Hindustan Petroleum Corporation Ltd., (a government of India enterprise), 17, Jamshedji Tata Road, Mumbai, through its General Manager.
2. The General Manager, Hindustan Petroleum Corporation Ltd., (a government of India enterprise), 17, Jamshedji Tata Road, Mumbai.
3. The Executive Director Retail Sales (Marketing Division), Hindustan Petroleum Corporation Ltd., (a government of India enterprise), 17, Jamshedji Tata Road, Mumbai.
4. The Chief Regional Manager, Hindustan Petroleum Corporation Ltd., Lok Nayak Jai Prakash Bhawan, 6th Floor, Dak Bangala Chawk, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Chandra Kant, Adv.

For the Respondent/s : Mr. Rajeev Prakash, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 20-01-2017

Learned counsel for the petitioner prays for and is allowed to make necessary correction in paragraph no.1 of this writ application.

Heard learned counsel for the petitioner and counsel for the Hindustan Petroleum Corporation Ltd.

In the present case, the petitioner is aggrieved by the letter dated 3.10.2016, whereby and whereunder, the candidature of the petitioner has been rejected on the ground that the land, which has been provided, is not connected to the road.



Learned counsel for the petitioner submits that he has given the details of the land such as Khata No.25, Plot No. 754 and dimension has also been mentioned therein and has also attached the copy thereof showing that the land is attached to the road and, as such, rejection of candidature is per-se illegal.

Learned counsel for the Hindustan Petroleum Corporation Ltd. submits that there was a field verification, the team had gone there and, in presence of the petitioner, the map was prepared. The sale deed, which has been attached with the application, shows that the land, in question, is not connected with the national highway.

Learned counsel for the petitioner submits that it is a typographical error committed by the deed writer and, in fact, the land is connected with the road.

Learned counsel for the Hindustan Petroleum Corporation Ltd. has pointed out that there is a mechanism for entertaining the grievance raised by the person whose application has been rejected under Clause-14 of the General Condition pertaining to the advertisement which reads as follows:-

"xiv. Any grievance/complaints related to selection can be submitted within a time frame of 30 days from the date of declaration of results of that location with a fee of Rs. 1000/-. Any complaint received thereafter will not be entertained."



As Hindustan Petroleum Corporation Ltd. has created a Forum for redressal of the grievance, the petitioner ought to have exhausted that Forum and, only thereafter, he should have moved before this Court.

If that be so, the Authority is directed to examine the grievance of the petitioner and take a decision within a period of three weeks from the date of production/receipt of a copy of this order. However, for convenience, the petitioner will be at liberty to file an additional grievance application which will also be considered by the Authority as a part of the earlier grievance application.

It is, however, made clear that if the petitioner would feel aggrieved by the decision of the Forum, he will be at liberty to challenge the same in accordance with law.

With the aforementioned observation and direction, this application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.01.2017
Transmission Date	

