

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19122 of 2013

=====

Aman Kumar S/O Sri Ganesh Choudhary Resident Of Village + Po Awapur, P.S.
- Pupri, Dist Sitamarhi

.... Petitioner/s

Versus

1. Indian Oil Corporation Ltd (MD) Indane Area Office, Shahi Bhawan, Exhibition Road, Patna through the Chief Area Manager
2. The Chief Area Manager, Indian Oil Corporation Ltd (MD), Patna
3. The Senior Area Manager, Indian Oil Corporation Ltd(MD) Shahi Bhawan, Exhibition Road, Patna

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Yogendra Prasad Sinha,
Mr. Pramod Kumar, Advocates
For the Respondent/s : Mr. Anil Kumar Sinha
Mr. Ankit Katriar, Advocates

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL JUDGMENT
Date: 07-08-2018

The present writ petition has been filed for a direction to the respondents to make appointment of the petitioner as distributor of Rajiv Gandhi Gramin LPG Vitrak (for short 'RGGLV') for the location Awapur Urf Sherpur, District Sitamarhi.

2. The short claim of the petitioner is based on the three plots of land offered variously standing in the names of his mother Mrs. Bibha Devi,, grand mother Mrs. Reshmi Devi and father Ganesh Choudhary as detailed in Appendix-D of the application. The claim of the petitioner was however, rejected by letter dated 07.02.2013 (Annexure-R/6 to the counter affidavit) on the ground that the



petitioner did not have adequate land for construction of LPG godown as per the policy. The petitioner has sought quashing of the said letter dated 07.02.2013 in his second supplementary affidavit.

3. Learned counsel for the respondent-Corporation opposes the writ petition on the ground that the claim of the petitioner has rightly been rejected. Of the three lands offered by the petitioner, the land in the name of his mother was not found suitable as it did not meet the required size, the minimum required dimension being 20m x 24m. The land standing in the name of his father was not in the advertised location and hence not eligible for consideration. The land standing in the name of the grand mother of the petitioner was also not eligible for consideration in view of the definition of "family unit" as given in the brochure of 2011 relevant for the present purpose which did not include the land standing in the name of his grand mother.

4. Having heard the parties and on consideration of the materials on record, this Court finds the writ petition to be devoid of merit. The petitioner has raised objection mainly with regard to the stand of the respondents relating to the land standing in the name of the petitioner's grand mother. However, reliance placed by the petitioner on Clause 6(h) of the brochure for selection of RGGLV which includes land belonging to parents and grand parents as part



of the family unit is misplaced as such brochure relates to the year 2013 and subsequent to the date of application of the petitioner. The petitioner has not been able to controvert the stand of the respondents that the definition of “family unit” as given in the 2011 brochure does not include the grand mother.

5. The writ petition accordingly stands dismissed.

(Vikash Jain, J)

Chandran/BT

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.08.2018
Transmission Date	NA

