

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16970 of 2018

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Jully Kumari, Wife of Parmanand Prabhakar, Resident of Mohalla- Near Bari
Cutchery Rajgir, P.S.- Rajgir, District- Nalanda.

.... Petitioner/s

Versus

1. The Union of India through its Secretary, Petroleum Department, Govt. of India
New Delhi.
2. The Territory Manager (L.P.G.), Bharat Petroleum Corporation Limited,
Fatuha, Fatuha Industrial Estate, P.O. + P.S.- Fatuha, Patna- 803201.
3. The Assistant Manager L.P.G Sales, L.P.G. Territory, Fatuha Industrial Estate,
P.O. + P.S. Fatuha, Patna- 803201.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bijay Kumar Pandey, Adv.
Mr. Amaresh Kumar, Adv.
For the B.P.C.L. : Mr. Siddhartha Prasad, Adv.
Mr. Om Prakash Kumar, Adv.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

Date: 29-08-2018

Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the Bharat Petroleum Corporation Ltd.

Petitioner challenges the Letter No. LPG.ER.PATA-6
LAHUAR dated 18.07.2018 issued by the Territory Manager (L.P.G.)
Patna as contained in Annexure-7 whereby the candidature of the
petitioner for Gramin LPG Distributorship at Lahuar, Panchayat-Nayi
Pokhar Block-Rajgir, District Nalanda, State Bihar in the category
OBC (W) has been rejected on the ground that the petitioner although



was selected as successful for award of LPG Distributorship, on verification of land offered for LPG godown, the petitioner submitted a notarized lease deed dated 17.07.2017 and not a registered deed/registered lease deed as per the Brochure on LPG Unified Guidelines and as per the advertisement which did not meet the requirement as stipulated in the Unified Guidelines or the notice inviting tender.

Learned counsel for the petitioner submits that although he had presented the deed for registration before Registry Office on 17.07.2017 but the same was registered on 21.11.2017, as such, on the last date of filing of application, the deed was presented for registration and already a notarized lease deed had been submitted relating to the same said land. Hence his candidature could not be cancelled, rejected or the petitioner declared ineligible.

Learned counsel appearing on behalf of the Bharat Petroleum Corporation Ltd. submits that on the last date of submission of application i.e. 17.07.2017, petitioner has submitted a notarized lease deed which was not as per the notice inviting tender and the Unified Guidelines for LPG Distributorship as a registered lease deed had to be filed till the last date of the application.

Considering the facts and circumstances and the materials on record, the petitioner had not filed a registered lease deed as



required under the Unified Guidelines for LPG Distributorship and as postulated in the advertisement for award of dealership hence his candidature has been rejected.

This writ application is devoid of merit and is dismissed.

(Nilu Agrawal, J)

Devendra/Priyanka

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.08.2018
Transmission Date	NA

