

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1533 of 2016

In
Civil Writ Jurisdiction Case No.20130 of 2014

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Uday Kumar, Son of Sri Rajendra Manjhi, resident of Village - Baraki
Dhawari, P.O. - Sarami, Police Station - Baniyapur, District Saran at Chapra.

... .. Appellant

Versus

1. The Managing Director, Bharat Petroleum Corporation Ltd. Registered
Office Bharat Bhawan, 46 Curimbhoy Road Ballard Estate Post Box No. 688,
Mumbai Pin Code-400001, Maharashtra.
2. The Territory Manager (LPG) Patna, LPG Territory & Bottling Plant, Fatuha
Industrial Area, Mouza Raipura, P.S. - Fatuha, District- Patna 803201, Bihar.
3. Chandan Kumar Paswan, S/o Sri Gorelal Manjhi, resident of Village+P.O.
Batardeh, P.S. Barauli, District Gopalganj, Bihar-841405

... .. Respondents

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Appearance :

For the Appellant	:	Mr. Abhiprav Singh Mr. Sumeet Kumar Singh
For the Respondents	:	Mr. Siddhartha Prasad Mr. Kaustubh Mr. Om Prakash Kumar

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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 : 21-03-2018

Heard learned counsel for the appellant and counsel for the
Corporation.

Since the private respondent no. 3, who had been issued letter
of intent by the Corporation and failure of the appellant to meet the
requirements, has refused to accept the dealership, such a selection
finally made has no meaning now.

Coming down to the issue whether the rejection of the claim
of the present appellant by the Corporation on the ground of lack



of clear title over the land in question of the lessor being the reason for rejection of his candidature is concerned, the learned Single Judge has considered the material on record and in absence of any clarity emerging even now as to who the lessor is when the land admittedly stood recorded in the name of one Yodha Prasad and Nand Prasad, the Court is not inclined to interfere with the order dated 15.03.2016.

Appeal is dismissed.

It will be advisable for the Corporation now to re-advertise the LPG dealership if they are interested in making any settlement in this regard in the changed circumstances.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Rajesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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