

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13508 of 2013

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Upendra Thakur son of Late Janki Thakur, resident of Village- Baradih, Post-
Partapur, Via- Athri, P.S- Runnisaidpur, District- Sitamarhi.

.... Petitioner

Versus

1. The Indian Oil Corporation through Its D.G.M. Lok Nayak Bhawan, 5th Floor, Dak Bungalow Chowk, Patna.
2. The Divisional Manager, Indian Oil Corporation, Muzaffarpur.
3. The Senior Sales Manager, Indian Oil Corporation, Muzaffarpur Division, Muzaffarpur.

.... Respondents

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Appearance :

For the Petitioner : None

For the IOCL : Mr. Anil Kumar Sinha
Mr. Akash Keshav
Mr. Yash Kathur, Advocates.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 28-08-2018

I.A. No. 6308 of 2013

This interlocutory application has been filed for
amendment in the writ petition by adding the following prayer –

“To quash/set aside the letter dated 11.07.2013 issued by
the respondent Indian Oil Corporation Ltd. by which
empanelment of the petitioner has been cancelled.”

2. Having regard to the nature of the prayer, the
interlocutory application is allowed and the same shall be treated as
forming part of the writ petition.

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3. The main writ petition has been filed for a direction
to the respondents to award the Rural Retail Outlet to the petitioner.



4. None appears on behalf of the petitioner despite repeated calls.

5. A perusal of the averments in the writ petition discloses that the petitioner was the second highest bidder for award of Rural Retail Outlet. The candidature of the highest bidder was rejected by reason of non-grant of No Objection Certificate with respect to the land. The petitioner has represented before the concerned authorities but to no avail.

6. Learned counsel for the respondent-Corporation opposes the writ petition and invites reference to letter dated 11.07.2013 (Annexure-5) by which the selection of the petitioner for the subject location has been cancelled. It has been stated that the petitioner's Savings Account No. 31313623498 with S.B.I. Belsand was found to be only Rs. 3,10,710/- as on 13.08.2010 being the date of application whereas the petitioner in his application form had claimed the amount at Rs. 5,00,710/-. It is therefore submitted that the selection of the petitioner has rightly been cancelled.

7. Having regard to the stand of the respondents, this Court finds the writ petition to be devoid of merit. The letter dated 11.07.2013 (Annexure-5) clearly narrates that as against the claim made in the application with regard to a balance of Rs. 5,00,710/- in the Savings account of the petitioner, the actual amount found therein



on the date of application was only 3,10,710/-. No fault or infirmity can be found in the action of the respondents in cancelling the selection of the petitioner.

8. In the circumstances, the writ petition accordingly stands dismissed.

(Vikash Jain, J)

Md. Ibrarul/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	01.09.2018
Transmission Date	N.A.

