

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

W.P.NO.22301 OF 2018

ORDER

For allotment of LPG Distributorship at Nagaram Mandal of Guntur District, 1st respondent – Hindustan Petroleum Corporation Limited, issued notification dated 15.09.2013, calling for applications under Ex-Servicemen Quota and the petitioners applied for the same. The 1st petitioner is the son of 2nd petitioner, who claims to be an Ex-Serviceman. The allotment of distributorship is by way of draw of lots among the eligible candidates. On the ground that the 2nd petitioner, who claimed to be Ex-Servicemen, failed to produce the eligibility certificate, he was not considered in the draw held on 20.06.2018. Petitioners No.2 filed representation dated 20.06.2018 stating that he could not produce the eligibility certificate, which has to be issued in Delhi, due to postal delay and, therefore, sought to cancel the draw held on 20.06.2018 and reconsider his case. As no action has been taken on his application, the present writ petition is filed.

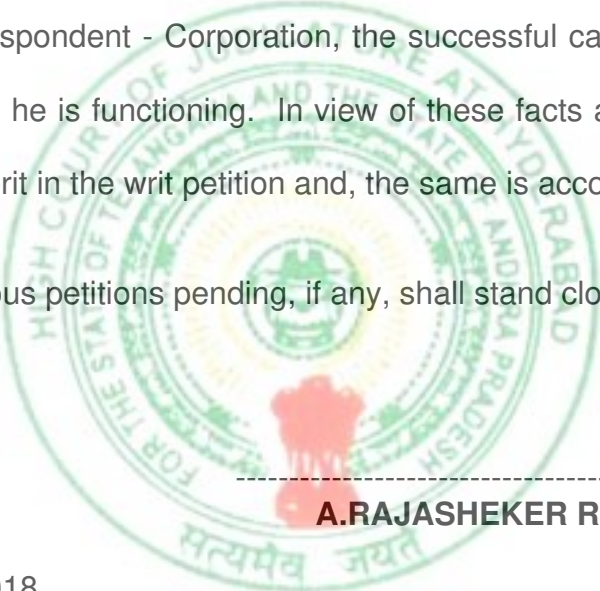
Heard the learned counsel for the petitioner.

Sri R.Ravindranath Reddy, learned Standing Counsel for the respondent – Corporation, submits that in pursuance of the notification dated 15.09.2013, petitioner No.2 made application, but did not produce the eligibility certificate to claim under Ex-Servicemen Quota. However, vide letter dated 08.06.2018, he was intimated the date and time of draw for selection and was instructed to produce the eligibility certificate, but he failed to produce the same, therefore, the draw for selection was conducted without including the name of the petitioner No.2 and the dealership was allotted to the successful candidate, and as on today, he is functioning. Therefore, in these circumstances, the application filed by the petitioner No.2 for cancellation of draw held on 20.06.2018, and to conduct redraw for selection, by including his name, cannot be considered by the

Corporation. With these submissions, the learned Standing Counsel sought for dismissal of the writ petition.

In the present case, there is no dispute that vide letter dated 08.06.2018, petitioner No.2 was intimated the date and time of draw for selection of LPG distributorship and he was required to produce the eligibility certificate, but he could not produce the same. Petitioner No.2 attributes the reason for non-production of the said certificate, to the postal authorities, as the same could not be received by him in time, due to postal strike, but the said reason cannot be accepted as petitioners had ample time to obtain the same, as notification was issued during the year of 2013 and it could be finalized only after a period of five years, in the year 2018 and as per the submissions of the learned Standing Counsel for the respondent - Corporation, the successful candidate was allotted distributorship and he is functioning. In view of these facts and circumstances, I do not find any merit in the writ petition and, the same is accordingly dismissed.

Miscellaneous petitions pending, if any, shall stand closed. No costs.



A.RAJASHEKER REDDY,J

DATE:04—07—2018

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