

HON'BLE SRI JUSTICE U. DURGA PRASAD RAO

WRIT PETITION No. 4049 of 2008

ORDER:

The petitioner seeks writ of *Mandamus* declaring the action of the respondents in rejecting the application of the petitioner, dated 1.10.2007 *vide* proceedings dated 12.01.2008, as illegal, arbitrary and unconstitutional and consequently direct respondents to consider the application of petitioner dated 1.10.2007 for the LPG Distributorship at Vijayawada, Krishna District.

When the matter came up for hearing, learned counsel for respondents would submit that the affidavit filed by petitioner along with his application does not contain certain important information and as such, his application was rejected. Learned counsel for respondents would submit that though petitioner furnished certain information as against item No.14 of the application form with regard to the finances and funds available with petitioner for setting up the LPG Distributorship, if selected, she failed to include Clause-6 of the proforma in her affidavit. Clause-6 is an important and crucial one with regard to the finances of the petitioner. Clause-6 of the Proforma Affidavit reads as follows:

“ That against Item No.14 of my application form, details of various sources of funds required for setting up and operation of the Distributorship has been furnished. I undertake that these funds will be made available for the purpose of setting up and operation of Distributorship. In case, it is found that the same is not made available as and when required, the offer of Distributorship, at any stage, can be withdrawn and that I will have no claim/damage whatsoever against the Oil Company.”

Learned counsel for respondents would further submit that since the affidavit of petitioner was incomplete, the Corporation rejected her case and thereafter, interviews were conducted and selection process was also completed in the year 2009 itself and in that view of the matter, the present writ petition, wherein no interim order was granted, has become infructuous.

Learned counsel for petitioner did not contradict the above submission of learned counsel for respondents.

In view of the above factual situation narrated by learned counsel for respondents, the writ petition is dismissed as infructuous. No costs.

As a sequel, miscellaneous petitions pending, if any, shall stand closed.



U. DURGA PRASAD RAO, J

Date: 03/10/2018
slk

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