

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 1033 of 2019**

Smt. Champawati Sahu W/o Gajadhar Sahu, Aged About 44 Years, R/o Village Nagarda, District Janjgir - Champa Chhattisgarh.

---- Petitioner

Versus

1. Indian Oil Corporation Limited, Through : Its Chief Area Manager, Rajeev Gandhi Road, Telibandha, Ravigram, Raipur District - Raipur Chhattisgarh.
2. State Of Chhattisgarh Through : The Collector, Janjgir, District - Janjgir - Champa Chhattisgarh.
3. Tahsildar, Sakti, District - Janjgir - Champa Chhattisgarh.
4. Anjulata Yadav, W/o Jagesh Yadav, R/o Nandeli, Tahsil Jaijaipur, District - Janjgir - Champa Chhattisgarh.

---- Respondents

For Petitioner	:-	Shri Ishwar Jaiswal, Advocate.
For Respondents	:-	Shri Rahul Jha, G.A.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****18/03/2019**

1. Petitioner would call in question the allotment of Durgam Kshetriya Vitrak (DKV) retail outlet of LPG to respondent No.4 on the ground that she is not a resident of any village within Gram Panchayat

Nagarda, therefore, as per clause 15 of the Unified Guidelines, the petitioner was entitled for preference whereas respondent No.4 has been allotted the distributorship in an illegal and arbitrary manner.

2. Petitioner would rest his submission on the certificates issued by Patwari and Sarpanch of the concerned village who have certified that since after the date of her marriage i.e. 26.04.2018, the respondent No. 4 has ceased to be resident of village Nagarda.
3. Even if these certificates are considered *vis-a-vis* the requirement under the Unified Guidelines, it is to be seen that the eligibility norms would apply as on the cutoff date 15.09.2017. It is petitioner's own case that respondent No.4 got married to a person of a nearby village on 26.04.2018, therefore, before the said date, she was the resident of village Nagarda.
4. The Petroleum Company has also rejected petitioner's complaint against selection of respondent No.4 by referring to the cutoff date as is mentioned in Annexure P-4.
5. On consideration of entire facts situation of the case particularly, the eligibility norms and documents relied by the petitioner it does not appear that as on the cutoff date, she was not the resident of village Nagarda.

6. For the foregoing, this Court is in full agreement with the reasons assigned by the petroleum company for rejection of the petitioner's claim.
7. The Writ Petition has no substance, the same deserves to be and is hereby dismissed.

Sd/-

(Prashant Kumar Mishra)
Judge

Ayushi