

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8710 of 2019

=====

Ritika Ray Daughter of Sanjay Kumar Resident of Village- Dihara, P.O.- Jagatpur, P.S.- Chandi, District- Nalanda at present residing at Village- Kevlatar, Raipura, Fatuha, District- Patna.

... .. Petitioner/s

Versus

1. The Union of India through the Ministry of Petroleum and Natural Gas, Shastri Bhawan, New Delhi.
2. The Indian Oil Corporation Limited through its Chairman, Indian Oil Bhavan, G-9, Ali Yavar Jung Marg, Bandra (E), Mumbai.
3. The Executive Director, Bihar State Office, Indian Oil Corporation Limited, 5th Floor, Lok Nayak Jai Prakash Bhawan, Dak Bungalow Chowk, Patna.
4. The General Manager, Bihar State Office, Indian Oil Corporation Limited, 5th Floor, Lok Nayak Jai Prakash Bhawan, Dak Bungalow Chowk, Patna.
5. The Deputy General Manager (Retail Sales), Marketing Division, Patna Divisional Office, I.O.C.L. Block A, Maurya Lok Complex, Dak Bungalow Road, Patna.
6. The Manager (Retail Sales) Rajgir Sales Area, Indian Oil Retail Outlet, Rajgir on NH 82, District- Nalanda.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Mayank Rukhaiyar, Advocate
For the Respondent/s	:	Mr. K.D. Chatterji, Sr. Advocate
		Mr. Amlesh Kumar Verma, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 10-01-2020

The petitioner has failed to obtain the Kisan Seva Kendra dealership on the sole ground that on the date when an affidavit was made by her about her financial strength in the application form that she has Rs. 12 lakhs in her bank account, the amount actually was found to be less than Rs. 12 lakhs.



Learned counsel for the petitioner submits that unfortunately and without the knowledge of the petitioner, certain amount was deducted by the bank under some head, making it less than Rs. 12 lakhs. On further inquiry by this Court, it was found that even on the date when the affidavit was filed, the requisite amount of Rs. 12 lakhs was not available in the bank account of the petitioner.

Since this is one of the requirement under the advertisement for grant of dealership under Kisan Seva Kendra, the respondent corporation also cannot breach such requirement as it would be to the prejudice of the other applicants who are still in the fray. It also need be noted that the claim of the petitioner was considered after her name was selected in the draw of lots.

It is quite unfortunate that the claim of the petitioner was extinguished only because some amount was found short of the fixed amount in the bank account of the petitioner but since this is the rule set out in the advertisement, no direction could be issued to the



respondent corporation for reconsideration of the case of the petitioner.

There does not appear to be much merit in this petition and as such it is dismissed.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.01.2020
Transmission Date	

