

HIGH COURT OF CHHATTISGARH AT BILASPUR

WP No. 4377 of 2006

Anant Dan Minj aged about 37, S/o Sri Mukut Ajay Dan Minj, Bhagalpur, Jashpur Nagar, District Jashpur. Chhattisgarh

---- Petitioner

Versus

1. Bharat Petroleum Corporation Ltd. through: Territory Manager (Retail), P.O.L. Depot, Bijli Nagar, G.E. Road, Bhilai-3, District: Durg Chhattisgarh Pin Code 490021
2. Vinay Prakash Ekka, Aged about 33 years, S/o Sri Bilasius Ekka, R/o Villahe Harradipa, District Jashpur.
3. Subhash Chandra Bhagat, aged about 28 years, S/o Sri Ram Sharan Bhagat, R/o Kanya Parisar Road, Bishunpur, Ambikapur, District Surguja Chhattisgarh.

---- Respondents

For Petitioner	: Shri Mukesh Sharma, Adv.
For Respondent No.1	: Shri Sourabh Sharma, Adv.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

02.01.2020

1. The writ petition has been filed seeking for following relief:-

“7.1 In the facts and circumstances of the case and in the interest of justice this Hon'ble Court may be pleased to direct the respondent No. 1 to produce all relevant record and valuate the merits of the petitioner for allotment of retail outlet dealership for Kunkuri and issue appropriate directions deemed fit by the Hon'ble Court to the respondent No. 1 in the interest of justice and circumstances of the case.

7.2 That Hon'ble Court after perusal of relevant record issue appropriate writ/ directions to respondent No. 1 for allotment of retail outlet dealership to the petitioner.”

2. The dispute primarily was in respect of non consideration of the petitioner so far as granting of marks in the interview as per the scheme so far as the educational qualification that the petitioner had and also for his experience. The respondents No. 2 & 3 were also candidates who had participated, however statement has been made by the Bar that none of the private respondents have been allotted

the dealership. The writ petition was filed in the year 2006 from an advertisement which was issued in the year 2005. It is more than 15 years time now pending the writ petition as per written/filed by the respondents, the scheme for allotment of dealership itself has been changed so far as respondent No. 1 is concerned. Fresh consideration for allotment of dealership would have to be done under prevailing circumstances and also taking into account the prevailing guidelines/ schemes that is in force as on date.

3. Given the aforesaid development that has taken place by influx of time, this Court is of the opinion that the writ petition itself can dispose of with a direction to the respondents to go in for a fresh advertisement, if at all the respondents intend to go in for a dealership at the said place and the claim of the petitioner be also considered on its own merits in accordance with the scheme that would be applicable subject to his fulfilling all the requisite criteria.
4. With the aforesaid observations, the writ petition stands disposed of.

Sd/-

(P. Sam Koshy)
Judge