

IN THE HIGH COURT OF JUDICATURE AT PATNA

C.W.J.C. No. 8174 of 2021

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Rakesh Kr. Sharma, s/o late Ramanand Sharma, r/o Dr.ZakirHussain
Institute Campus, Hartali More, Bailey Road, PS-Kotwali, District-
Patna Petitioner/s

Versus

1. The Chairman, Bharat Petroleum Corporation Limited, Patna.
2. The Territory Manager, Bharat Petroleum Corporation Limited (Retail), Patna.
3. The Territory Coordinator, Bharat Petroleum Corporation Limited, Retail Territory, Patna.
4. The Senior Manager RI, Bharat Petroleum Corporation Limited, Patna, Exhibition road, Patna-800001.
5. The Chief Manager Operation I/C Patna TOP, Bharat Petroleum Corporation Limited, Anisabad, Patna-800002.
6. Mr.Sumit Prasad Singh, address not known through Bharat Petroleum Corporation Limited, Retail Territory, Patna.

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Nivedita Nirvikar, Sr. Advocate
: Mr. Punit Kumar, Advocate
For the Opposite Party/s: Mr. Siddartha Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

5 14-09-2021 The instant case has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.



The present writ petition has been filed seeking the following reliefs :-

- (i) For quashing of the letter dated 08.02.2021, whereby and whereunder the mark sheet for selection of service provider has been wrongly marked and the petitioner has been granted zero in interview without going into the verification of the requirement of supply/ engagement of 10 workers for one year by the petitioner.*
- (ii) For issuance of a writ/s, an order/s, a direction/s in the nature of mandamus for directing the respondents to consider the petitioner at serial no. 1 as service provide COCOs for the place Dobhi (Gaya).*
- (iii) For directing the respondents to immediately stop the issuance of LOI to respondent no. 6 and keep the result in abeyance till this matter is subjudice before this Hon'ble Court.*
- (iv) For directing the respondents to award full marks for manpower engagement based on the documents annexed with the application after confirming with the company if the petitioner had engaged 10 or more labours for one (gate register, EPFO & ESIC ion as attached with bill to be*



examined and considered) and/ or provide the petitioner time to provide additional document as was done with other candidates and then do subsequent marking and declaration of result by providing full 25 marks to the petitioner.”

The learned Senior counsel for the petitioner Ms. Nivedita Nirvikar, Advocate assisted by Mr. Punit Kumar, Advocate seeks liberty to approach the respondent-Corporation for redressal of the aforesaid grievances of the petitioner and submits that the respondent- Corporation be directed to consider the case of the petitioner, in accordance with law, within a stipulated time frame and since the respondent Corporation, in other cases, has been granting opportunity to produce the deficient documents, the petitioner be also granted such opportunity and then a final decision be taken.

The learned counsel for the respondent-Corporation Sri Siddhartha Prasad, Advocate submits that the representation of the petitioner is already on record of this case as Annexure-11 series to the writ petition and the same shall definitely be considered by the competent authority, in



accordance with law.

Having regard to the facts and circumstances of the case, the present writ petition stands disposed of as not pressed, however, with a direction to the competent respondent- authority to dispose of the representation of the petitioner, annexed as Annexure-11 series to the present writ petition, within a period of four weeks of receipt/ production of a copy of this order, in accordance with law.

(Mohit Kumar Shah, J)

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