

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2466 of 2022

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Akhilendra Kumar Dhiraj, son of Adhiya Prasad Singh, Resident of Kachachari Tola, Alamnagar Uttri, Ward No.-15, P.S.-Alamnagar, District-Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Indian Oil Corporation through its Chief Manager (RS), Bihar State Office Lok Nayak Jai Prakash Bhawan (5th Floor), Dak Bungalow Chowk, Patna.
3. The Senior Divisional Retail Sales Manager, Indian Oil Corporation Ltd., Begusarai, Divisional Office, Begusarai.
4. The Circle Officer, Block Office, Alamnaga, District-Madhepura.
5. The Revenue Karamchari, Block Office, Alamnagar, District-Madhepura.
6. Nishant Kumar Singh, son of Vijay Kumar Singh, Resident of Ward No-13 Alamnagar, P.S.-Alamnagar, District-Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Barun Kumar Singh, Advocate
For the Respondent/s	:	Mr. Alok Ranjan, AC to AAG 5
		Mr. Sanat Kr. Mishra, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 24-03-2022

Heard learned counsel for the parties.

Petitioner has prayed for following reliefs:-

“(I) For issuance of an appropriate order/orders, direction/directions commanding the respondent no.2 and 3 to cancel the dealership of respondent no.6 which has been obtained by him in collusion with other respondents authorities by making forged and fabricated documents in his support despite objection filed by the petitioner within time before the

authority concern stating and annexing the all relevant documents to show the misdeeds of the respondents.

(ii) For issuance of an appropriate order/orders to cancel the dealership of respondent no.6 with further direction to appoint the petitioner as dealer of the location Chandsara (Alamnagar Mali Road), Madhepura, Bihar (Advt. SL. No.271) under open category.

(iii) For any other relief/reliefs to which petitioner is found entitled under the facts and circumstances of the case.”

Briefly stated the facts of the case is that an advertisement was published on 22.10.2014 by the Indian Oil Corporation Limited by which, applications were invited for awarding Rural Retail Outlet Dealership for Chaandsar (Alamnagar-Mali Road) under Block Alamnagar in Madhepura District under open category.

Petitioner also applied for said dealership and he was informed by letters dated 8.10.2016 and 01.11.2016 that the Land Evaluation Committee will visit the site for its inspection and location and petitioner should be present at the site along with documents of the land.

It is submitted that petitioner received a letter dated 17.02.2017 from the respondent - corporation that he has qualified for draw of lot for selection of dealership and should remain personally present on 11:00 a.m. on 9.3.2017 and it

appears that in draw of lot, the dealership was awarded to respondent no.6 against which petitioner filed complaint dated 10.5.2018 against selection of respondent no.6 with respect to land offered by the respondent no.6 as same did not satisfy the requirement for Award of dealership.

Petitioner received a letter dated 15.10.2019 from the respondent - Indian Oil Corporation to submit documents in support of allegations within 15 days but petitioner did not provide any additional material in support of allegations and thereafter, by order dated 14.09.2020, petitioner was informed that his complaint dated 10.05.2018 against the selected candidate, i.e., respondent no.6 was rejected by a reasoned and speaking order, as contained in Annexure 7, in which, it has also been stated that although petitioner did not pursue his complaint but inquiry was conducted by the Corporation through the Circle Officer, Alamnagar who found the allegations levelled by petitioner to be false and found that the land offered by the selected candidate (respondent no.6) satisfies the laid down criteria for award of dealership.

Petitioner in this writ petition has challenged the decision dated 14.09.2020 as contained in Annexure 7 by which, his complaint made against selected candidate

(respondent no.6) has been rejected as well as he has challenged the inquiry report submitted by the Circle Officer, Alamnagar in which, favourable report has been submitted by the Circle Officer, Alamnagar in favour of selected candidate.

Having heard learned counsel for the petitioner as well as learned counsel for the Indian Oil Corporation, this Court is not inclined to interfere in the decision taken by the Indian Oil Corporation communicated through letter dated 14.09.2020, as the same is speaking and reasoned order and proper and valid reason has been assigned to reject the complaint of the writ petitioner.

There is no merit in the writ petition and, accordingly, it is dismissed. No costs.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04.04.2022
Transmission Date	NA