

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12982 of 2021

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Smt. Sunita Devi W/o Sri Ajay Kumar, Resident of Village - Belahi (Rampur East), P.O. and P.S.- Chiraiya, District - East Champaran.

... .. Petitioner/s

Versus

1. The Indian Oil Corporation Limited through its Divisional Manager, Divisional Office, Krishna Complex, Akharaghat Road, Muzaffarpur, District - Muzaffarpur.
2. The Sr Divisional Retail Sales Manager, Indian Oil Corporation, Divisional Office, Krishna Complex, Akharaghat Road, Muzaffarpur, District - Muzaffarpur.
3. The Divisional Retail Sales Head, Indian Oil Corporation Limited, Divisional Office, Krishna Complex, Akharaghat Road, Muzaffarpur, District - Muzaffarpur.
4. Ram Hriday Baitha, S/o Late Dharichhan Baitha, Resident of Village - Belahi, P.O. and P.S. - Chiraiya, District - East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mahendra Thakur, Advocate
For the Respondent/s : Mr.Sanat Kumar Mishra, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

(The proceedings of the Court are being conducted by Hon'ble the Chief Justice/Hon'ble Judges through Video Conferencing from their residential offices/residences. Also the Advocates and the Staffs joined the proceedings through Video Conferencing from their residences/offices.)

2 12-01-2022 Petitioner has prayed for the following relief(s):

- “i. For issuance of a writ in the nature of certiorari for quashing the letter vide REF No. MDO/KSK/92 dated 2.7.2021 issued by respondent no.3, whereby and whereunder candidature of the petitioner for K.S.K. (Kisan Sewa Kendra) Dealership for village



- Belahi, under Block Chiraiya, District East Champaran, under S.C. Category, has not been found to be eligible for retail outlet dealership as no valid title over the offered plot of land has been found by the Respondent No-3.
- ii. For direction to the respondents authority to award the Retail Outlet Dealership of K.S.K. (Kisan Sewa Kendra) in favour of the petitioner at village- Belahi, Bock-Chiaraiya, District- East Champaran, which is at SI No.92 of the advertisement.
 - iii. For any other appropriate writ/writs, direction/directions as this Hon'ble Court think fit and proper in the facts and circumstances of this case.”

Perused the impugned order/letter dated 02.07.2021, which is extracted as under:



In view of the same, as is so also stated by Shri Sanat Kumar Mishra, learned counsel for the respondents, petitioner can approach the respondent authorities.

Learned counsel for the petitioner states that the petitioner shall appear before Respondent No. 3, namely The Divisional Retail Sales Head, Indian Oil Corporation Limited, Muzaffarpur at his Divisional Office at Muzaffarpur on 3rd of February, 2022, on which date proof of title of the land offered for setting up of the retail outlet shall be placed on record. The officer concerned, after verifying the correctness thereof, shall pass an appropriate order in that regard.

This he shall do within a period of four weeks thereafter.

Petition is disposed of in the aforesaid terms.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(S. Kumar, J)

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