

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15937 of 2021

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Neha Kumari W/o Prince Kumar Resident of Village - Chari Bazar
Sikandarpur, P.S. G.B. Nagar (Tarwara), District- Siwan.

... .. Petitioner/s

Versus

1. The General Manager I/C (RS), Indian Oil Corporation Limited (Marketing Division) Bihar State Office, Loknayak Jaiprakash Bhawan (5th floor) Dak Bunglow Chow, Patna.
2. The Divisional Retail Sales Head, Indian Corporation Limited, Muzaffarpur, Division Office, Krishna complex, Akharaghat Road, Muzaffarpur.
3. The Chief Manager Indian Corporation Limited, Head Office, Akharaghat Road, Muzaffarpur.
4. Arjun Kumar Sah Son of Sri Motilal Sah Resident of Village - Chari Bazar Sikandarpur, P.S. G.B Nagar (Tarwara), District- Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Udit Narayan Singh, Adv.
For the IOC	:	Mr. Shailesh Kashyap, Adv.
For the Resp. No.4	:	Mr. P.K. Shahi, Sr. Adv.
		Mr. Naresh Prasad, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 08-12-2022

Heard Mr. Udit Narayan Singh, learned Advocate for the petitioner, Mr. P.K. Sahi, learned Senior Advocate for the private respondent no. 4 and Mr. Shailesh Kashyap for the IOC.

The petitioner has challenged the order of the General Manager, I/C (RS), Bihar State Office, Patna of Indian Oil Corporation whereby the complaint made by the petitioner against respondent no. 4, who has been chosen as a licensee, has been rejected.



It appears from the records that the petitioner as well as the respondent no. 4 were contenders for grant of retail outlet license for a particular area when respondent no. 4, having been found suitable in all respects and his application complying with all the requirements under the tender documents, was selected. Shortly, thereafter, the petitioner learnt that the land which has been offered by the respondent no. 4 was not of the respondent 4 but a family property.

The contention of the petitioner is that the rent receipts against such land was forged and fabricated and the claim of the respondent no. 4 that in a family arrangement, the land had fallen in the share of respondent no. 4 is also incorrect, as a compromise petition which was filed in support of the claim of the respondent no. 4 signed by his two brothers, has also been subjected to challenge by both the brothers before a competent Civil Court of Sub Judge-I, Siwan.

No decision has been given on the aforesaid application.

There is nothing on record to indicate that the claim of respondent no. 4 is bad or that the documents placed regarding the land offered was forged and fabricated.



It appears to be a case of annoyance and anger of another contender, who has lost out in the competition.

From the perusal of the order of the officer of the Indian Oil Corporation which has been impugned in the present petition, we do not find any reason to interfere with the same or with the decision of the Indian Oil Corporation to select respondent no. 4 as the retail outlet licensee.

The petition is dismissed.

We may indicate that this dismissal of the writ petition would not come in the way of the petitioner or any other concerned person to agitate for the same cause once it is decided by the Civil Court that the land which has been offered by the petitioner does not belong to him or has not fallen in his share after partition.

(Ashutosh Kumar, J)

(Nawneet Kumar Pandey, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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