

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3305 of 2021

Md. Shaikhur Rais Son of Iftekhhar Alam Resident of Village- Bansbari, PO and PS- Thakurganj, District- Kishanganj- 855116.

... .. Petitioner/s

Versus

1. The Indian Oil Corporation Ltd. A Govt. of India Enterprises, having its Registered office situated at Indian Oil Bhavan, G-9, Ali Yavar Jung Marg Bandra (East), Mumbai- 400 051 through its General Manager.
2. The General Manager, Indian Oil Corporation, Loknayakan Bhavan, Dak Bunglow Road, Patna- 800001.
3. The Deputy General Manager, Indian Oil Corporation Ltd. Barauni Refinery PO- Barauni Oil Refinery, Dist Begusarai Bihar- 851114.
4. The Chief Divisional Retail Sales Manager, Indian Oil Corporation Ltd. Barauni Refinery PO- Barauni Oil Refinery, Dist Begusarai Bihar- 851114.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Anjani Kumar Jha, Advocate
For the Respondent/s : Mr. Sanat Kumar Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA
and
HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

6 04-08-2022 Heard learned counsel for the petitioner and learned counsel for the Indian Oil Corporation Limited (IOCL).

The petitioner has prayed for allotment of RO Dealership at the given location.

The petitioner has been kept in Group-3 Appendix. The reasons are contained in letter dated 20.11.2019. The operative part thereof reads as under:

“During the scrutiny of the documents submitted by you it has been observed that the Appendix-IIIB, dt.



04.07.2019 submitted by you within 10 days of intimation is of the date later than the date of online application submitted i.e. 22.12.2018. And hence as per the guideline of the corporation your candidature is not valid for considering the offered land under Group-1, however your candidature may get considered for selection with Group-3 applicants.”

Contention of the petitioner’s counsel is that the petitioner has been put in Group-3 because he did not complete the formalities within the period prescribed. He submitted Appendix-IIIB dated 04.07.2019 within 10 days of intimation that is the date later than the date of online application submitted i.e., 22.12.2018. On the other hand, the contention of the respondents’ counsel is that a person cannot be put in Group-3 on this ground alone. He could have been included in Group-3 only if the land was not owned by him. He has produced documents to show the ownership of the land.

In view thereof, all disputed question of facts should have been gone into by the Grievance Redressal Mechanism of the Respondent-Corporation. Accordingly, we thus feel that the matter needs to be resolved by the Grievance Redressal Mechanism of the Respondent-Corporation.

Even otherwise, we find the rejection order very vague and non-speaking in nature. The matter is thus remitted



to the Grievance Redressal Forum of the Respondent-Corporation who shall take a decision at the earliest, in any case not later than six weeks.

However, the petitioner shall be at liberty to file a fresh representation within one week from today.

Till then *status quo* regarding allotment shall be maintained.

The writ petition stands disposed of in the aforementioned terms.

(Rajan Gupta, J)

(Dr. Anshuman, J)

Anjani/-

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