

27th June, 2022
(D/L No.33)
(SKB)

W.P.A. 7941 of 2021

Krishnendu Ghosh
Versus
Indian Oil Corporation Ltd. and others

Mr. Soumyadeep Biswas
... for the petitioner.

Mr. Puspendu Chakraborti
... for the I.O.C.L.

The affidavits are taken on record.

The challenge in the writ petition is to the appointment of the private respondent and to the consequential rejection of the writ petitioner.

The only ground taken for challenging the appointment of the private respondent is that the OBC Certificate of the private respondent shows a date namely, 26.12.2018—which is after the closing date of the appointment process. The closing date of the appointment was 25.12.2018. The appointment is of Retail Outlet Dealers in the State of West Bengal.

Upon considering the submissions made by learned counsel appearing for the parties and the material on record, particularly, the OBC certificate enclosed in the affidavit of the Indian Oil Corporation Limited, this court is of the view that the writ petitioner does not have any case for relief. The Certificate annexed to the affidavit of the IOCL is an OBC Certificate given by the Sub-Divisional Magistrate, Sadar Krishnagar, Nadia dated 17th December, 2018. Clause 17 of the Brochure for Selection of Dealers as well as Clause (c) of the Standard Format for OBC Category Certificate indicates a particular format in which the certificate should be and also that the original

document together with supporting documents must be given by the applicant. Clause (b) of the Standard Format also indicates that the Sub-Divisional Officer is one of the designated authorities. There is nothing to indicate that the OBC certificate given by the private respondent did not comply with the conditions of the Brochure for selection of dealers. The document relied on by the petitioner is an extract from the website which merely indicates the date 26.12.2018 without any further particulars. There is also no evidence on record to show that the certificate relied on by the IOCL was procured one or did not fulfil the conditions of the Brochure.

Having found that the writ petition is accordingly without any merit, W.P.A.7941 of 2021 is dismissed without any order as to costs.

(Moushumi Bhattacharya, J.)