

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24591 of 2013

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Veena Kumari Wife Of Sanjay Kumar Resident Of Village- Sikiyaha, Post
Office- Bhatni, Police Station- Kumarkhand, District- Madhepura

... .. Petitioner/s

Versus

1. The Indian Oil Corporation Ltd. and Ors At G-9, Ali Yavar Jung Marg, Bandra East, Mumbai- 400005 India
2. The Regional Manager, Indian Oil Corporation Limited Having His Office At 6th Floor, Lok Nayak Jaip Dak Bungalow Chowk, Patna
3. The General Manager, Indian Oil Corporation Limited Having His Office At 6th Floor, Lok Nayak Jaipr Null Dak Bungalow Chowk, Patna
4. The Accounts Officer, Indian Oil Corporation Limited Having His Office At 6th Floor, Lok Nayak Jaip Dak Bunglow Road, Patna- 800001
5. The Chief Area Manager, Indian Oil Corporation Limited, Indene Area Office, 1st Floor, Shahi Bhawan, Exhibition Road, Patna
6. The Area Manager, Indian Oil Corporation Limited, Indene Area Office Begusarai, Post Office- Barauni Oil Refinery, District- Begusarai Bihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Jha, Adv.
For the Respondent/s : Mr. Anil Kumar Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE A. ABHISHEK REDDY
ORAL JUDGMENT

Date : 12-07-2023

The present writ petition is filed for the following reliefs:

“(i) For issuance of writ/writs, order/orders, direction/directions in the matter of cerciorari for quashing the impugned letter Reference No. BAO/337 dated 22.10.2013 vide Annexure-5 issued by Area Manager, Indian Oil Corporation Limited, Indene Area Office Begusarai, Post Office Barauni Oil Refinery, District Begusarai (Respondent No. 6) whereby and where under the Application for Award of "Rajjev Gandhi Gramin L.P.G. Vitrak (RGGLV) at the location of Siripur, District Madhepura under open category advertised on 28.06.2013 in "Hindustan" daily in which the petitioner had submitted his application for award of



Rajeev Gandhi Gramin LPG Vitarak under Gram Panchayat Rauta, Tengraha Sikiyaha Panchayat under Mauza Siripur. Police Station Kumarkhand, District Madhepura but the aforesaid letter, which has been issued by the Area Manager, Indian Oil Corporation Limited, Indene Area Office Begusarai, Post Office Barauni Oil Refinery. District- Begusarai (Respondent No. 6) on 22.10.2013 in which it has been mentioned that the Application Sl. No. BAO RGGLV/13-14/78/2004, which was submitted by the petitioner, has been informed that your candidature has not been found to be eligible for RGGLV as you do not have own land in the advertised location as applicable.

(ii) For further prayer for the petitioner to stay the impugned letter Reference No. BAO/337 dated 22.10.2013 vide Annexure 5 issued by Area Manager, Indian Oil Corporation Limited, Indene Area Office Begusarai, Post Office- Barauni Oil Refinery, District (Respondent No. 6).

(iii) For further prayer for the petitioner to direct the Respondent No. 6 (Area Manager, Indian Oil Corporation Limited, Indene Area Office Begusarai, Post Office Barauni Oil Refinery, District - Begusarai) to immediately grant the license of dealership of RGGLV LPG Godown and show-room while the petitioner has already submitted his application for Rajeev Gandhi Gramin LPG Vitarak (RGGLV) at the location of Siripur Mauza under Gram Panchayat Rauta Tegrha, Sikiyaha because the petitioner being the bona-fide candidate as he had submitted his application for dealership.

(iv) For further prayer for the petitioner to direct the Respondent No. 6 (Area Manager, Indian Oil Corporation Limited, Indene Area Office Begusarai, Post Office Barauni Oil Refinery, District - Begusarai) to not delete the name of the petitioner and immediately issue a letter in the name of the petitioner as selected candidate of RGGLV under Gram Panchayat Rauta Tegrha, Sikiyaha at the location of Mauza of Siripur.

(v) For further prayer for the petitioner to pass any other relief/ reliefs, order/orders, direction/ directions as may deem fit and proper in the facts and circumstances of this case.”



Learned counsel for the petitioner has stated that the authorities concerned without verifying the documents filed by the petitioner has rejected the application of the petitioner on the sole ground that the land owned by the petitioner is not in the advertised location (Annexure-5). Learned counsel for the petitioner has stated that in spite of submitting all the necessary documents relating to the land belonging to the petitioner in the desired location, the official respondents have not considered the application of the petitioner.

Per contra, learned counsel for the respondents has drawn the attention of the Court to the counter-affidavit filed by the respondent nos. 1 to 6 more particularly at Para-8 and Para-9, it is specifically stated that though the application of the petitioner was not considered initially on the ground that the land which was offered was not in the advertised location but subsequently, the applicant/petitioner had submitted representations to the authorities concerned on 31.10.2013 to 19.11.2013 along with documentary proof and the same was considered by the authorities concerned. That on re-verification of the documents submitted by the petitioner, it was found that the offered land was in the name of the petitioner and in the desired location and he was finally included in the final list of eligible candidates. Thereafter, by way



of draw conducted on 02.03.2015, the name of one Alok Kumar was selected but the petitioner has not challenged the selection of the Alok Kumar. Counsel has stated that the reliefs sought for in the present writ petition has become infructuous and nothing remains to be adjudicated. Though, the counter-affidavit has been filed by respondent nos. 1 to 6 on 30.10.2018, the petitioner has not filed any reply to the said counter. Moreover, the grievance of the petitioner in the present writ petition is that her application was not considered and included in the final list of draw. However, in view of the categorical statement made in the counter-affidavit that subsequently the name of the petitioner was included in the final list and, thereafter, only the draw was conducted on 02.03.2015 and the name of one Alok Kumar was selected has not been controverted by the petitioner by way of reply. Moreover, it is stated by the learned counsel for the respondents that the scheme under Rajiv Gandhi LPG Vitruk (RGGLV) has already lapsed. As rightly pointed out by the counsel for the respondents, the main grievance of the petitioner has already being addressed by the authorities and the same has become infructuous.

Having regard to the above mentioned facts and circumstances of the present case, this Court does not find any



merit in the present writ petition, which warrants any interference
by this Court.

The present writ petition is accordingly dismissed.

(A. Abhishek Reddy, J)

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AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	14.07.2023.
Transmission Date	N/A

