

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20136 of 2013

Shiv Shankar Prasad Son Of Sri Ram Swarath Sah Resident Of Village And
P.O. Manikauli, Via Bharwara, P.S. Singhwara, District Darbhanga

... .. Petitioner/s

Versus

1. The Union Of India
2. Chairman, Central Vigilance Commission, A Block, Gpo Complex, Ina, New Delhi-23
3. Petroleum Grievance Cell, Ministry Of Petroleum, Natural Gas, New Delhi
4. Indian Oil Corporation Through Its Chairman, G-9, Ali Yavar Jung Marg, Bandra East, Mumbai - 400051
5. Deputy General Manager, Vigilance, Eastern Range, Indian Oil Bhawan, Ioc, Kolkata
6. Senior Divisional Manager, Ioc Lok Nayak Bhawan, Dakbunglaw Road, Patna
7. Divisional Manager, Ioc, Divisional Office, Krishna Complex, Akhara Ghat Road, Muzaffarpur
8. Senior Divisional Retail Sales Manager, Ioc Muzaffarpur Divisional Office Ioc, Krishna Complex, Akhara Ghat Road, Muzaffarpur
9. Selection Committee For Selection Of Agricultural Service Centre Retail Outlet Dealer Selection Of Ioc, Divisional Office Ioc, Krishna Complex, Akhara Ghat Road, Muzaffarpur
10. Md. Shakeel Ahmad Son Of Late Isha Resident Of Village Katasa, P.S. Singhwara, District- Darbhanga
11. Dr. Sajid Mustaque Son Of Mustaque Ahmad Resident Of Village Katasa, P.S. Singhwara, District- Darbhanga

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ajay Thakur, Adv.
For the I.O.C.L. : Mr. Sanat Kumar Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL JUDGMENT

Date : 28-03-2023

1. Learned counsel appearing on behalf of the
I.O.C. states that the location has already been commissioned in
2013 itself by respondent no. 11. The order of issuing L.O.I.



has not been challenged by the petitioner and the writ petition has been rendered infructuous.

2. The petitioner by way of this writ petition has prayed as under:

“1. That this is an application for issuance of an appropriate writ, order or direction, for setting aside the letter dated 4.7.2013 issued under the signature of General Manager, Bihar State Office of Indian Oil Corporation by which the application filed by the petitioner was rejected by the competent authority as well as for setting aside the final marksheet published by the Selection Committee for Agricultural Service Centre (Retail outlet) Dealer Selection of Indian Oil Corporation published on 25.07.2012 at Divisional Office, Muzaffarpur of Indian Oil Corporation as well as for restraining the respondents to issue the intent letter to the respondent 2nd set on the basis of the said result.”

3. It appears that the petitioner is aggrieved of granting of more marks in the selection to the Respondent No. 10. The mode of allotment of dealership is based on a selection



process. It is not a case where the selection process was not followed by the respondents.

4. However, this Court will not interfere in the question with regard to the marks which have been individually allotted under different categories to individual applicants. The action is within the domain of the concerned selecting body. The appeal also lies against the said order before the concerned committee formed by the Corporation, whereafter this Court could have no reason to examine the marks which have been granted. It is settled principle that the Court could, under judicial review, only examine the decision making process and not the the decision itself.

5 As such, the present writ petition is devoid of merit and the same is, accordingly, dismissed.

(Sanjeev Prakash Sharma, J)

Suraj/-
Item No. 55

AFR/NAFR	
CAV DATE	N/A
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