

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20061 of 2018

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Ajay Kumar, son of Late Suresh Paswan, resident of Village-Budhuchak,
(Kahalgaon) Post Office and Police Station Budhuchak, District-Bhagalpur.

... .. Petitioner/s

Versus

1. The Union Of India, through the Secretary, Petroleum and Natural Gas Department, Govt. of India, New Delhi
2. The Secretary, the Petroleum and Natural Gas Department, Govt. of India, New Delhi
3. Petroleum and Natural Gas Regulatory Board, New Delhi
4. Zonal Manager, Bharat Petroleum Zonal Office, Muzaffarpur, District-Muzaffarpur
5. The Area Manager, Bharat Petroleum situated at Barari Bhagalpur, District - Bhagalpur

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Ms.Veena Kumari Jaiswal
	:	Mr.Upendra Prasad
For the Respondent/s	:	Mr.S.D Sanjay Addl. Soc. Gen.
	:	Mr.Mukesh Kumar
	:	Mr.Siddhartha Prasad
	:	Mr.Om Prakash Kumar

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 04-08-2025

The writ petition is filed for the following
reliefs:-

“(i) For direction to the
respondents to appoint the petitioner,
L.P.G. Distributor for the vacant area at
Rampur in the district of Bhagalpur for
distribution of L.P.G. at Rampur, the
area for which the petitioner has been



selected in the Lottery System held on 09.01.2018 whereby 19 new distributors of Gas Agency has been selected and the result of selected distributors published in Daily News Paper by the Zonal Manager, Muzaffarpur on 10.01.2018.

(ii) For direction to the respondent to issue an appropriate order for appointment of the petitioner as Distributor of L.P.G. at Village Rampur in the district of Bhagalpur for which he has been selected in the lottery system held on 09.01.2008 the result was communicated online dated 10.01.2018 for selection of the petitioner through lottery system.

(iii) For direction to the respondents for issuance of an appropriate order for appointment of the petitioner as distributor for distribution of L.P.G. at Rampur for which the application was submitted by the petitioner along with relevant documents in respect of land available for the office and godown which was found perfect and correct and accordingly he has been selected in the Lottery System which was held on



09.01.2018 and the result of success of the petitioner was communicated online on 10.01.2018 but till date he has not been given the agency of distribution of LPG for Rampur in the district of Bhagalpur.

(iv) For grant of any other relief(s) for which petitioner is deem fit and proper.”

2. The contents of the writ petition disclose that the Zonal Manager of Bharat Petroleum, Muzaffarpur, published a vacancy for appointment of LPG distributors under the SC/ST quota as well as under the General quota. The vacancy was published through online in the month of June 2017. The petitioner submitted his application through online and also submitted a hard copy of the application on 18.07.2017, along with relevant documents including the land ownership papers and a sketch map of the land for the purpose of the office and godown. Upon scrutiny and verification, the Zonal Manager found the documents to be correct and confirmed that the land was available in accordance with the



requirements of the respondents. Thereafter, the Zonal Manager and the Area Manager numbered the petitioner's application and included it, in a lottery draw held on 09.01.2018, pursuant to which the petitioner was selected for appointment as a distributor of LPG for Rampur in the district of Bhagalpur. In the said lottery draw, 19 new distributors were selected for various locations. On 10.01.2018, the Zonal Manager, Muzaffarpur, communicated to the petitioner through mobile phone that he had been selected in the lottery draw held on 09.01.2018. However, despite this communication, the final appointment order, in favour of the petitioner, as distributor of LPG for Rampur has not been issued. Aggrieved by this inaction of the respondent, the petitioner has filed the present writ petition seeking a direction to the respondents to issue the appointment order.

3. A detailed counter affidavit was filed by respondent nos. 4 and 5 dated 27.11.2018. The contents of the counter affidavit disclose that an advertisement for the selection of LPG



distributorships was published in newspapers in accordance with the Unified Guidelines for Selection of LPG Distributors in the month of June 2017. Clause 26 of the said guidelines stipulates that if any information furnished by an applicant, in the application form or in any other document is found to be incorrect, the candidature of such applicant may be rejected by the Corporation without assigning any reason. Pursuant to the advertisement, Bharat Petroleum Corporation Limited (BPCL) received several applications. Based on the declarations in the application forms, documents, and affidavits submitted by the applicants, a draw of lots was conducted among all eligible candidates on 09.01.2018, wherein the petitioner was declared as successful candidate for the Rampur location. Subsequently, the information and declarations submitted by the petitioner were verified during the Field Verification of Credentials. Meanwhile, an Industry Record Note, Ref: SL/1111 dated 06.04.2018, containing clarifications on the LPG Selection Guidelines, was issued by the Industry



Working Group. The note outlined the actions to be taken by the OMCs in various scenarios during the selection process, especially at the time of Field Verification of Credentials.

Point No.-2 of Industry Record Note of Ref. Dated 06.04.2018 is reproduced hereunder:-

Sl. No.	Scenarios	Guidelines
2	Land mentioned in application form has different Khasra No or Gata No or Name of Village. The mistake may be either in the form while typing Khasra No./Gata No./Name of Village or it may be correct in the form but typed wrongly in lease deed or vice versa	Application submitted in above scenario should not be considered for issuance of LOI.

4. Subsequently, during the Field Verification of Credentials, it was found that the plot number of the land offered by the petitioner for construction of the showroom was incorrectly mentioned as 740 in the application form, whereas the actual plot number verified was 365. Further, it was found that the petitioner did not have ownership of plot no. 740, either by ownership or by long-term lease, as required under the guidelines. Therefore, the information furnished by the petitioner in the application form was found to be incorrect and his



candidature is liable for rejection under Clause 26 of the Unified Guidelines. Accordingly, the petitioner's candidature was rejected and a re-draw for the Rampur location was conducted on 15.10.2018, wherein one Biru Rajak was declared as the successful candidate.

5. Heard the Learned counsel for the petitioner and the Learned counsel for the respondents.

6. It was specifically contended by the Learned counsel for the petitioner that after receipt of the counter affidavit, he was unable to contact the petitioner and did not receive any instructions to challenge the subsequent developments.

7. Considering that the third party, Biru Rajak, who was selected in the re-draw in 2018, has not been impleaded as a party to this writ petition and that the appointment of Biru Rajak is not under challenge before this Court, this Court is of the considered view that the writ petition has become infructuous.



8. Accordingly, the writ petition is dismissed
as infructuous.

(G. Anupama Chakravarthy, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.08.2025
Transmission Date	

