

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6282 of 2018

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Anju Singh Wife of Sri Amrendra Kumar, Resident of Village-Chikani, P.O.-
Jokiyari, Police Station-Raxaul, District-East Champaran.

... .. Petitioner/s

Versus

1. Indian Oil Corporation Limited Through Its Managing Director, G-9, Ali Yavar Jung Marg, Bandra (East) P.S. Bandra, Mumbai
2. The Managing Director, Indian Oil Corporation Limited., G-9, Ali Yavar Jung Marg, Bandra East, P.S. Bandra, Mumbai
3. The Chief General Manager RS, Bihar State Office, Indian Oil Corporation Limited, 5th Floor, Lok Nayak Jaiprakash Bhawan, Dak Bunglow Chowk, P.S. Kotwali, Patna
4. The Senior Divisional Retails Sales Manager, Muzaffarpur Divisional Sales Office, Indian Oil Corporation Limited, Krishna Complex, Akharaghat Road, Muzaffarpur
5. Vilasj Kumar Son of Sri Hari Chandra Singh, Resident of Village-Jetiahi, P.O. Jokiyari, P.S. Raxaul, District East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar, Advocate
For the Respondent/s : Mr. Ankit Katriar, Advocate

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CORAM: HONOURABLE JUSTICE SMT. G. ANUPAMA CHAKRAVARTHY

ORAL JUDGMENT

Date : 17-10-2025

1. The petitioner has filed the instant application for the following reliefs:

“i. To issue a writ in the nature of Certiorari for quashing the order dated 23/01/18 as contained in Annexure-5 to this application passed by the respondent no.3 whereby and where under the complaint filed by the



petitioner was rejected and the complaint fee remitted by the petitioner was forfeited.

ii. To issue a writ of mandamus directing the respondents to cancel the allocation of Kishan Sewa Kendra i.e. Indian Oil Corporation Retail Outlet dealership having location no.644/1 situated between KM stone 5 (Sikta 15 KM) and Chanuli Pul Saiphan towards Sikta in the district of East Champaran made in favour of private respondent no.5 on the ground that the allocation made in favour of private respondent is illegal and de hors the provisions and guidelines.

iii. To issue a writ in the nature of Mandamus commanding the respondent authorities to make allocation of Kisan Sewa Kendra i.e. Indian Oil Corporation Retail Outlet having location no.644/1 situated



between KM stone 5 (Sikta 15 KM) and Chanuli Pul Saiphan towards Sikta in the district of East Champaran in favour of the petitioner.

iv. To any other relief or reliefs for which the petitioner is found to be entitled in the facts and circumstances of the case.”

2. The brief facts as culled out from the Writ petition are that the petitioner applied for the Kisan Sewa Kendra (Retail Outlet dealership) for location No. 644/1 in in the district of East Champaran, as advertised by Indian Oil Corporation Limited ((hereinafter called as the IOCL) on 22/10/2014. After scrutiny of applications, a draw of lots was conducted on 23/09/2016 at the Divisional Office in Muzaffarpur for selection of successful applicant. The petitioner and respondent No. 5 were the only candidates. The Block Development Officer, Minapur, was the chief guest and was asked to pick a slip but it was



neither announced nor showed to the applicants. Instead, the slip was handed to the Divisional Retail Sales Manager, who announced respondent No. 5, as the winner without displaying the slip publicly. The petitioner immediately raised objection alleging irregularities.

3. Further the case of the petitioner is that the petitioner submitted a complaint dated 27/09/2016, along with a demand draft of Rs. 1000, pointing out the irregularities committed during the draw. Despite repeated requests and submissions including references to videographic evidence of the draw, the petitioner was never informed about any inquiry. It is submitted that eventually, the IOCL conducted an investigation without the petitioner's knowledge and on 23/01/2018, informed the petitioner that the allegations were unsubstantiated and recommended the corporation to proceed with selection of respondent No. 5, forfeiting the petitioner's complaint fee. The petitioner challenged the fairness of this process, highlighting



that the video recording of the draw was withheld and the investigation was conducted behind her back, suggesting mala fide intent by the respondents. The petitioner again submitted a representation dated 06/02/2018 raising objection with regard to the manner of inquiry and stated that neither she was informed about the inquiry nor she was given an opportunity to participate. The petitioner, therefore, prays for a fresh, transparent draw and quashing of the impugned selection.

4. A counter affidavit was filed on behalf of the respondent Indian Oil Corporation Limited. The Learned counsel for the respondents IOCL contended that the draw was conducted in accordance with the corporation's established guidelines. The petitioner and respondent no. 5 were the only eligible candidates for the said location. The video recordings that captured the proceedings from different angles were available and was thoroughly examined by the Investigating Officer (IO). The IO's report concluded that the



allegations were unsubstantiated, and the complaint was disposed of as per policy. The slip that was drawn by the invited guest, the name was announced, and though not always clearly visible on camera, the video showed the slip being momentarily displayed. The respondents denied any mala fide or irregularity and asserted that the petitioner's grievance was without merit and should be dismissed.

5. A supplementary affidavit was also filed on behalf of the petitioner wherein, the petitioner challenged the authenticity of the video recordings submitted by the respondent IOCL. The petitioner contended that the video was improperly recorded and several critical moments were out of camera's view. The petitioner refuted the respondents' claim that she never requested for a copy of the video.

6. The Learned counsel for the petitioner argued that the investigation was conducted, without affording any opportunity to the petitioner or to present any evidence, which



violates the principles of natural justice. It is further submitted that the entire process was manipulated to favor respondent no. 5.

7. Heard the Learned counsel for the petitioner as well as the Learned counsel for the respondent IOCL. However, the private respondent, i.e., respondent No. 5, has chosen not to appear despite issuing notices and also providing information by the the Learned counsel for IOCL.

8. Upon careful examination of the pleadings, video evidence, and submissions, the Court finds that the petitioner was not given any opportunity to participate or be heard during the inquiry conducted by the respondents. The video recordings, though made from two angles, have significant gaps, with crucial portions missing such as the actual display of the drawn slip either unclear or missing. It further appears that the name on the slip was not announced by the invited guest and further was not shown clearly to the public or the petitioner at the time of the draw. The records reveals that the respondents failed to



provide the petitioner with a copy of the video recording or the investigation report, thereby denying her the chance to effectively challenge the findings. The Court further finds that the procedure adopted lacks the necessary transparency and fairness required in matters affecting livelihood. Given the serious allegations of irregularity and the procedural deficiencies, the petitioner's grievance warrants further scrutiny.

9. Accordingly, the writ petition is allowed. The impugned order dated 23/01/2018 (Annexure-5) is hereby quashed. The respondents are directed to conduct a fresh draw of lots for allocation of the Kishan Sewa Kendra dealership at location no. 644/1 in East Champaran in a fair manner, ensuring the presence of the petitioner and proper video recording. The petitioner shall be afforded full opportunity to participate in the proceedings and access all relevant documents and evidence. The allocation made in favor of respondent no. 5 shall stand suspended pending the fresh draw.



10. With the above observations and directions, the writ petition is allowed.

11. Interlocutory Application, if any, shall stands disposed of.

(G. Anupama Chakravarthy, J)

Spd/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	17.10.2025
Transmission Date	

