

17-03-2025
Item No.24
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA

Constitutional Writ Jurisdiction
Appellate Side

WPA No.18422 of 2023

Rajkumar Patra

-vs-

Union of India & Ors.

Sk. Md. Galib

Mr. Abu Siddique Mallik ...for the petitioner

Mr. Siddhartha Lahiri

Ms. Ranjana Chatterjee ...for the Union of India

Mr. Puspendu Chakraborty

...for IOCL

1. The petitioner challenges a communication made by Indian Oil Corporation Limited on June 15, 2023 (Annexure P6, p.64) intimating him that his candidature for selection of LPG distributorship stood cancelled as he failed to fulfill the eligibility criteria.
2. One of the eligibility criteria for obtaining the distributorship is that the applicant should possess a land registered in his name. Admittedly, the land offered by the petitioner was not registered in his name. The petitioner made an application dated March 14, 2023 requesting the authority to accept the land offered by him. The petitioner assured that if the letter of intent was issued in his favour, then the land would be registered in his name.
3. Learned counsel for the petitioner submits that such request made by the petitioner has not been considered by the authority. It is alleged that

prior to cancellation of the petitioner's candidature, he ought to have been given an opportunity to make good the defect in the land offered. It has also been submitted that there has been violation of the principle of natural justice.

4. Upon hearing the parties and upon perusal of the documents annexed to the writ petition, it appears that, admittedly, the petitioner failed to meet the eligibility criteria for obtaining the distributorship, and that the petitioner has sought to set up a new condition before the authority to issue the letter of intent and thereafter go for registration of the subject land. The petitioner alleges that there has been violation of the principle of natural justice.
5. The said contention of the petitioner cannot be accepted by the court. The terms and conditions and the eligibility criteria are clearly laid down in the advertisement and the brochure relating to grant of LPG distributorship. In my view, if any relaxation is shown to the petitioner, the same will be in deviation of the terms and conditions of the advertisement and the same will not provide a level playing ground to the other applicants who had applied in response to the advertisement.
6. The petitioner was made aware by a communication dated March 6, 2023 for offering alternative plot of land duly registered in his name. The petitioner failed to provide any such offer. Hence, there has not been any violation of the principle of natural justice as alleged or at all.
7. The writ petition thus fails and is hereby dismissed.

8. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]