

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 17015/2011
(From the judgment and order dated 28.10.2010 in Writ Petition
No.2770 of 2008 of the High Court of Judicature at Allahabad)

INDIAN OIL CORPORATION LTD. AND ANR.

Petitioner(s)

VERSUS

RUDRA PAL SAROJ AND ORS.
(With office report)

Respondent(s)

Date : 21/07/2014 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI
HON'BLE MR. JUSTICE M.Y. EQBAL

For Petitioner(s)

Mr. Annam D. N. Rao ,Adv.
Mr. Sudipto Sircar,Adv.
Mr. Annam Venkatesh,Adv.
Ms. Neelam Jain,Adv.

For Respondent(s)

Mr. Kirit S.Javali,Adv.
Ms. Mayuri Raghuvanshi,Adv.
Mr. Gaurav Kejriwal ,Adv.

UPON hearing the counsel the Court made the following
O R D E R

Heard learned counsel for the parties.
Leave granted.
The appeal is allowed in terms of the signed
order.

(MADHU BALA)
COURT MASTER
(Signed order is placed on the file)

(SNEH LATA SHARMA)
COURT MASTER

Signature Not Verified

Digitally signed by
Madhu Bala
Date: 2014.07.26
11:27:01 IST
Reason:

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.6811 OF 2014
(@ SPECIAL LEAVE PETITION (C) NO. 17015 OF 2011)

INDIAN OIL CORPORATION LTD. AND ANR.

...APPELLANT(S)

VERSUS

RUDRA PAL SAROJ AND ORS.

...RESPONDENT(S)

O R D E R

Heard learned counsel for the parties.

Leave granted.

The Respondent No. 1 had filed a writ petition challenging the decision contained in the letter dated 19.12.2007, issued by the appellant-Indian Oil Corporation Limited informing the respondent/writ petitioner that the Corporation had decided to cancel the selection for appointment of the Retail Outlet/ Dealership in question and initiate a fresh process after acquiring a suitable plot of land as mandated by the norms in force.

The High Court by its impugned order directed the appellant-Corporation to complete the process and grant the Letter of Intent to the person who had secured the first position. Aggrieved, this appeal has been filed.

It has been contended before us that the selection in which the Respondent No.1 was placed at Serial No.1 was

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vitiated being contrary to the norms in force in the Corporation i.e. that the land ought to have been secured prior to initiation and finalization of the selection process.

If the selection in which the Respondent No.1 had participated was contrary to the norms of the Corporation and if the Corporation had taken a decision to re-do the process after complying with the norms in force, the said decision cannot be faulted. The High Court ought not to have issued the impugned direction which virtually compels the appellant-Corporation to give effect to the selection though contrary to its norms.

Accordingly, we allow this appeal and set aside the order of the High Court dated 28.10.2010 and permit the Corporation to re-do the exercise, if it is so inclined, in accordance with the norms in force.

.....J.
[RANJAN GOGOI]

NEW DELHI
21ST JULY, 2014

.....J.
[M.Y. EQBAL]