

IN THE HIGH COURT OF JHARKHAND AT RANCHI.
C.M.P. No. 423 of 2016

.....

Anup Kumar Kejriwal **Petitioner**

Versus

1. Indian Oil Corporation Ltd. through its Chairman-cum-Managing Director, Mumbai.

2. Indian Oil Corporation Ltd., Marketing Division, ER, Ranchi

3. Chief Area Manager, Indian Oil Corporation Ltd., Marketing Division, Ranchi

4. Senior Manager, Indian Oil Corporation Ltd., Marketing Division, Ranchi

5. Deputy General Manager, Indian Oil Corporation Ltd., Patna.

..... **Opp. Parties**

CORAM: HON'BLE MR. JUSTICE APARESH KUMAR SINGH

For the Petitioner : Mr. Indrajit Sinha, Advocate
For the Opp. Parties : Mr. Amar Nath Gupta, Advocate

...

03/30.09.2016: Heard counsel for the parties.

Prayer for modification of the order dated 23rd August 2016 passed in W.P.(C) No.4473 of 2016 has been made to the extent “thereafter, the agreement has not been entered neither have they finalized the appointment of Distributorship in favour of the petitioner” as it is contended that the aforesaid statement has erroneously been recorded.

Counsel for the petitioner relies upon Annexure-10 of the writ petition which is a communication dated 28th May, 2015 to the petitioner on the subject Indane distributorship at Jharia (LPG Urban Market), District Dhanbad (Jharkhand) under “Open Category Marketing Plan” appointment of distributor thereof. Learned counsel submits that with the said letter two copies of the agreement were also annexed which have been executed.

This specific contention of the petitioner stands refuted by counsel for the respondents-Corporation on instructions that there was no

formal agreement executed. Then a submission is made by the counsel for the petitioner that a SAP Code No. 285671 was also issued to the petitioner.

Counsel for the Corporation submits that SAP Code is only for the purpose of accounting of the customers. This cannot mean the existence of an already executed agreement as made out on the part of the petitioner.

The opposed stand of the parties on the subject of execution of the agreement, to say the least, do not leave any room of doubt that agreement as such is not in existence neither has it been brought on record. Therefore, the order dated 23rd August, 2016 does not require any modification, as prayed for. The instant petition stands dismissed.

Shamim/

(Aparesh Kumar Singh, J.)