

Form J(2)

**IN THE HIGH COURT AT CALCUTTA  
Constitutional Writ Jurisdiction  
Appellate Side**

**Present :  
The Hon'ble Justice Bibek Chaudhuri**

**WPA 7720 of 2022**

**Chowdhury Amiruddin  
Vs.  
Bharat Petroleum Corporation Ltd. & Ors.**

**For BPCL : Mr. Bikramaditya Ghosh  
Mr. A. B. Das  
Ms. Srijoni Chongdar**

**Item No.21**

**Heard & Judgement on : 09.10.2023**

**Bibek Chaudhuri, J.**

The petitioner takes no steps.

The learned advocate on behalf of the respondent/Bharat Petroleum Corporation Limited and its officers being respondent Nos. 1 to 8 is present. It is pointed out by the learned advocate for the respondents that the petitioner as well as the private respondent No.9 applied for retail outlet dealership of petroleum. The private

respondent No.9 was shortlisted and the letter of intent was issued. The petitioner raised an objection stating inter alia that the private respondent has been working as a supervisor Sahawika Samprasarak at Goalpokher-1 Development Block in the district of Uttar Dinajpur and it is alleged that said job is a Government job and without tendering resignation and acceptance of the same by her employer she has been offered with letter of appointment.

It is stated by the learned advocate for the respondent under instruction that no letter of appointment has been issued in favour of respondent No.9 as yet. Moreover, as per clause 6 of the Brochure for Selection of Dealers for Regular and Rural Retail Outlet dated 24<sup>th</sup> November, 2018, the LOI holder should neither be employed in Private Sector nor drawing any salary/perks/emoluments from State/Central Government **at the time of issuance of Letter of Appointment.** Since letter of appointment has not been issued in favour of the respondent No.9 the instant writ petition is premature. I am in concurrence with the submission made by the learned advocate for the respondent Nos. 1 to 8. Since letter of appointment has not been issued in favour of the respondent No.9 as yet the issue as to whether she is under employment either in Government or in private sector and earns any salary/perks/emoluments does not arise at all.

Considering such fact, the instant writ petition is premature and the same is **dismissed** on merit.

**(Bibek Chaudhuri, J.)**