
(2000) 06 PAT CK 0008
In the Patna High Court
Case No : C.W.J.C. No. 2949 of 1999

Uttama Devi

APPELLANT

Vs

Union of India and Others

RESPONDENT

Date of Decision : 21-06-2000

Acts Referred:

Citation : (2000) 4 PLJR 585

Hon'ble Judges : S.N. Jha, J

Bench : Single Bench

Advocate : H.S. Himkar, for the Appellant; Anil Kr. Jha, Kali Das Chatterji and Amlesh Kr. Verma for Respondent Nos. 3 and 4 and Mr. Dhanendra Choubey for Union of India, for the Respondent

Final Decision : Dismissed

Judgement

S.N. Jha, J.—The petitioner applied for grant of distributorship in LPG in the Freedom Fighter's category pursuant to Annexure-1. She has approached this court with a grievance that though she happens to be the widow of Freedom Fighter and eligible for appointment, her case was not considered. From Annexure-R-II it appears that the case of the petitioner was considered but she was found ineligible on the ground that she is widow of Freedom Fighter and not freedom fighter. Shri. H.S. Himkar, learned counsel for the petitioner with reference to Annexure-4 submitted that the petitioner is getting Freedom Fighter's pension after the death of her husband and enjoying other benefits as Freedom Fighter and therefore, she was eligible for appointment as Distributor. The submission is totally misconceived. The petitioner has been allowed the benefit of Freedom Fighter's pension under the Freedom Fighter's Samman Pension Scheme, 1980 which provides for payment of family pension upon the death of the freedom fighter pensioner. That does not make her a Freedom Fighter herself nor makes her eligible for appointment as Distributor. From the advertisement it is clear that the applications were invited from the "Freedom Fighters". The legal heirs of freedom fighters cannot be called Freedom Fighters

and considered for appointment as Distributor under the particular scheme.

2. In the above view of the matter. I do not find any illegality on the part of the respondents in not calling the petitioner for interview for appointment of Distributor. The writ petition stands dismissed.