

Court No. - 40

Case :- WRIT - C No. - 38915 of 2023

Petitioner :- Radayal

Respondent :- Union Of India And 2 Others

Counsel for Petitioner :- Chandra Prakash Tiwari

Counsel for Respondent :- A.S.G.I., Archana Singh, Gaurav Kumar Chand

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Prashant Kumar, J.

1. Heard learned counsel for the petitioner, Sri Gaurav Kumar Chand, learned counsel for the Union of India and Mrs. Archana Singh, learned counsel for the respondent No.2 - Indian Oil Corporation.

2. The present writ petition is preferred for quashing the impugned communication order/Ref 15455747421058 dated 19.11.2020 passed by the respondent No. 3 whereby the petitioner's application for award of RO dealership at Village Kashipura ,Block Panwari, Tehsil Mahoba District MAHOBA under SC category Advertised on 25-Nov-2018 was rejected. For ready reference, the aforesaid impugned communication is quoted below:

"Subject: Application for award of RO dealership at Village Kashipura ,Block Panwari, Tehsil Mahoba District MAHOBA under SC category Advertised on 25-Nov-2018

Dear Sir.

1. Please refer to your application received by us as Application form No.15455747421058 on the subject and our letter dated 05-Nov-2020 informing you about the visit of Land Evaluation Committee for evaluation of your offered land.

2 This is to inform you that the Land Evaluation Committee visited the site offered by you on 14-Nov-2020 and found the same to be not meeting the required norms as detailed below:

Land not in advertised stretch.

3. In view of the above, we regret to inform you that your candidature has been found ineligible. However, your candidature may get considered for selection along with Group 3 applicants as per guidelines."

3. In this background, Mrs. Archana Singh, learned counsel for Indian Oil Corporation has raised an objection regarding maintainability of the writ petition that as the aforesaid impugned communication was made way back on 19.11.2020, therefore, the writ petition is liable to be dismissed on the ground of delay and laches. Even on merit, she submits that the claim of the petitioner under aforesaid

advertisement was rejected on the recommendation of Land Evaluation Committee that land offered by the petitioner was found to be not meeting the required norms, therefore, the writ petition is liable to be dismissed on merit also.

4. Considering the facts and circumstances of the case, we are not inclined to interfere with the aforesaid impugned communication dated 19.11.2020. Accordingly, the writ petition is **dismissed**.

Order Date :- 12.12.2023

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