

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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Civil Writ Petition No.6825 of 2015

Date of Decision: April 10, 2015

Gagandeep Kaur

...Petitioner

Versus

Bharat Petroleum Corporation Limited and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Paramjit Singh Jammu, Advocate
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court impugning the order dated 31.01.2015 (Annexure P-4) vide which the complaint of the petitioner against the allotment of agency to respondent No.2 on the ground that there was no road/rasta to the site where the godown was proposed to be established at the time of the last date of receipt of applications, stands rejected. Counsel for the petitioner contends that the said order is not in consonance with the information, which the petitioner has received under the Right to Information Act from the competent authority i.e. Tehsildar-cum-Assistant Public Information Officer, Fazilka, dated 04.03.2015 (Annexure P-2). His submission is that the last date for draw of plots was 25.11.2013 and on the said date, as per the information supplied to the petitioner, there was no rasta to connect killa No.79//22/2 of village Ladhuke, District Fazilka. The said rasta was registered/entered into the girdawari on 27.10.2014, which is made towards Eastern side of khasra No.79//22/1. He, therefore, contends that the application of respondent No.2 was required to

be rejected at the very outset as the said respondent did not fulfil the requirement of the conditions as laid down in condition No.6.1 clause vii of the Brochure, which required the plot of the land or ready LPG cylinder storage godown to have free accessibility through all weather motorable approach road (public road or private road) connecting to the public road. Since there was no rasta as per the information supplied to the petitioner at the relevant time, the impugned order dated 31.01.2015 (Annexure P-4) cannot be sustained.

This contention of the counsel for the petitioner cannot be accepted in the light of the fact that the competent authority at the time of allotment of agency to respondent No.2 had visited the spot as is apparent from the impugned order, where it has been stated as follows:-

Hence in this case also the FVC was conducted by Nominated FVC Committee and for the Field Verification of Credentials of Shri Pankaj Kalra S/o Shri Narinder Kumar application Sr. No. BTI/LAD/10, the Candidate selected through draw held on 05.11.2014 at Bathinda Territory Officer and found correct as per the guideline. During the FVC, there is no variation found. All the credential submitted by the applicant along with the application are duly verified and found correct, also the Land Offered by the candidate is found suitable for the construction of the Godown and Showroom as per minimum dimensions required and duly verified by from records and Tehsildar Fazilka.

In view of the above, as the competent authority has already looked into this aspect and has come to a positive finding against the allegations made by the petitioner, the interference in the impugned order is not called for by this Court.

The writ petition, therefore, stands dismissed.

April 10, 2015

Puneet

**(AUGUSTINE GEORGE MASIH)
JUDGE**