

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

Letters Patent Appeal No.1482 of 2015 (O&M)
Date of Decision: 12.10.2015.

Raj Kumar

..Appellant

versus

Union of India and others

..Respondents

CORAM: HON'BLE MR. JUSTICE RAJIVE BHALLA
HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Ashish Naik, Advocate,
for Mr. Tara Chand Dhanwal, Advocate,
for the appellant.

RAJIVE BHALLA, J.

Civil Misc. Application No.3189-LPA of 2015

Prayer in this application is to condone delay of 230 days
in filing the appeal.

Heard.

For reasons stated in the application and arguments
addressed, the application is allowed and delay of 230 days in filing
the appeal is condoned.

Letters Patent Appeal No.1482 of 2015

The appellant challenges, order dated 16.01.2015
dismissing his writ petition, challenging the award of a retail outlet
dealership by Hindustan Petroleum Corporation Limited, to
respondent no.5.

Counsel for the appellant submits that marks awarded for
merits of the candidates have been wrongly tabulated by ignoring

that a high tension wire passes over the land of respondent no.5 and by awarding higher marks for infrastructure. The appellant has not been awarded any marks for fixed and movable assets despite the fact that he has appended valuation certificate issued by a government valuer. The fact that both the appellant as well as respondent no.5 had taken land on lease from the same land owner, has also been ignored.

We have heard counsel for the appellant, perused the impugned order, appraised averments in the writ petition as well as in the replies filed by the respondents but do not find any reason to interfere with the impugned order or grant any relief to the appellant.

The appellant is aggrieved against the award of the retail outlet to respondent no.5 and in support of his arguments, refers to marks awarded to both parties. The learned Single Judge, while considering the matter, has examined the contentions in detail and only thereafter passed the order dismissing the writ petition. The marks assigned to the parties by the Technical Valuation Committee, cannot be re-examined, unless they are arbitrary or mala fide. The absence of any such error, does not enable us, to interfere.

Consequently, the appeal is dismissed.

(RAJIVE BHALLA)
JUDGE

(REKHA MITTAL)
JUDGE

12.10.2015
VK