

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

CWP No.18938 of 2009 (O&M)
Date of decision: 21.1.2016

Amit Kumar Goel and another

..... Petitioners

Versus

Indian Oil Corporation Limited and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. Naveen S. Bhardwaj, Advocate, for the petitioners.

Mr. Ashish Kapoor, Advocate, for the respondents.

RAJESH BINDAL, J

The petitioners have approached this Court with a grievance that their candidature for allotment of petrol pump at Karnal was not considered merely on the ground that in the affidavits filed along with the applications, they had not mentioned that they are Indian citizens.

It is not dispute that the same controversy was involved in another case bearing CWP No.16160 of 2008—Kiran Bala v. Indian Oil Corporation Limited and others, which was decided on 18.11.2008 holding that non-mentioning of the fact that the applicant is an Indian citizen is of no consequence. The judgment of this Court was upheld by Hon'ble the Supreme Court while dismissing Special Leave Petition (Civil) No.200 of 2009—IOC and another v. Kiran Bala, on 19.7.2013.

Learned counsel for the respondents submitted that as a result of the aforesaid judgment, the petitioners shall be treated to be eligible for allotment of petrol pump at Bajida Road, Karnal. However, the final decision shall be taken by the Corporation, as to whether still the petrol pump is to be set up at the location or not. In case, the decision is taken to set up the petrol pump at the same location, the candidature of the petitioners shall be considered with all other applicants.

Learned counsel for the petitioners submitted that in view of the stand taken by learned counsel for the respondents, the present appeal may be disposed of in the same terms.

Ordered accordingly.

(RAJESH BINDAL)
JUDGE

21.1.2016

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