

CWP-31-2009(O&M) and other connected cases

**Sr. No.201**

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

**1. CWP NO.31 OF 2009(O&M)**

Rajbir Sharma

.....Petitioner

**VS.**

Indian Oil Corporation Ltd. and another

....Respondents

**2. CWP NO.20812 OF 2008(O&M)**

Sandeep Kumar

.....Petitioner

**VS.**

Indian Oil Corporation Ltd.

.....Respondent

**3. CWP NO.1191 OF 2009(O&M)**

Vinod Kumar

.....Petitioner

**VS.**

Indian Oil Corporation Ltd. and another

.....Respondents

**4. CWP NO.1195 OF 2009(O&M)**

Saloni Mehta

.....Petitioner

**VS.**

Indian Oil Corporation Ltd. And another

.....Respondents

**5. CWP NO.35 OF 2009 (O&M)**

Date of Decision: 03.11.2016

Ashwala Devi

.....Petitioner

**VS.**

Indian Oil Corporation Ltd. and others

.....Respondents

**CORAM HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK**

CWP-31-2009(O&M) and other connected cases

in CWP-1191-2009 and CWP-1195-2009.

Mr. Vinay Phogat, Advocate  
for Mr. Rajbir Sehrawat, Advocate  
for petitioner in CWP-20812-2008.

Mr. J.S.Chatrath, Advocate  
for Mr. Ashwani Talwar, Advocate  
for the petitioner in CWP-31-2009.

Mr. Ashish Kapur, Advocate  
for respondent IOC.

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**RAMESHWAR SINGH MALIK, J**

These five identical Writ Petitions bearing No.31 OF 2009(O&M) titled Rajbir Sharma vs. Indian Oil Corporation Ltd. and another, CWP NO.20812 OF 2008(O&M) titled Sandeep Kumar vs. Indian Oil Corporation Ltd., CWP NO. 1191 OF 2009(O&M) titled Vinod Kumar vs. Indian Oil Corporation Ltd. and another, CWP NO.1195 OF 2009(O&M) titled Saloni Mehta vs. Indian Oil Corporation Ltd. and another and CWP NO.35 OF 2009 (O&M) titled Ashwala Devi vs. Indian Oil Corporation Ltd. and others are being disposed of vide this common order and also with the consent of the learned counsel for the parties.

At the very outset, learned counsel for the respondents has placed before this Court an order dated 21.01.2016 passed by this Court in **CWP-18938 of 2009 titled Amit Kumar Goel and another v. Indian Oil Corporation Ltd. and another**, to contend that all these five identical writ petitions be disposed off in terms of the order dated 21.01.2016 passed by this Court in **Amit Kumar Goel's case (supra)**.

Faced with the above, learned counsel for the petitioners in all these five cases also fairly states that let all these writ petitions be disposed

**case (supra).**

Order dated 21.01.2016 passed by this Court in **Amit Kumar Goel's case (supra)** reads as under:

*“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 .”*

In view of the above said respective stand taken by learned counsel for the parties, all these above said five writ petitions are disposed of in terms of the above said order dated 21.01.2016 passed by this Court in **Amit Kumar Goel's case (supra).**

Disposed off accordingly.

**(RAMESHWAR SINGH MALIK)**  
**JUDGE**

**November 03, 2016**  
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| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |