

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

**CWP No.21172 of 2016
Date of decision: 07.10.2016**

Sandeep Kumar

... Petitioner

Vs.

Indian Oil Corporation Ltd. and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. P.S. Jammu, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK, J. (ORAL)

Present writ petition is directed against the impugned result dated 24.05.2012 (Annexure P-2), whereby respondent No.5 was declared a successful candidate for LPG Distributorship and also against the impugned Letter of Intent dated 18.06.2013 (Annexure P-3) issued by the competent authority in favour of respondent No.5.

Heard learned counsel for the petitioner.

At the very outset, when confronted with the inordinate and totally unexplained delay of more than four years in filing the present writ petition against the impugned result dated 24.05.2012 (Annexure P-2), learned counsel for the petitioner has no reply and rightly so, it being a matter of record. Once the candidature of the petitioner had been rejected by the competent authority more than four years ago, he cannot be heard to say today that he has got some continuing or any fresh cause of action. It is so said because had the petitioner been feeling genuinely aggrieved, it was least expected from him to approach this Court or any other appropriate forum, raising his grievance seeking appropriate relief, in accordance with law. However, petitioner kept conveniently silent for more than a period of four years. At this stage, he

cannot be permitted to turn around with a view to find fault with the impugned result, which was declared by the competent authority on 24.05.2012. Issuance of Letter of Intent was only a natural consequence of the impugned result dated 24.05.2012. Letter of Intent will not grant any fresh cause of action in favour of the petitioner but that too was issued way back on 18.06.2013. Petitioner did not raise any objection probably for the reason that he was well satisfied having no cause of action either on facts or in law.

In view of the above, present one has been found not only a petition suffering from delay and latches but also a frivolous and vexatious one. Petitioner has not been found a bonafide litigant. Such a petition is liable to be dismissed with exemplary costs.

No other argument was raised.

Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned, this Court is of the considered view that present writ petition is wholly misconceived, bereft of merit and without any substance, thus, it must fail. No ground for interference has been made out.

However, the request made by learned counsel for the petitioner not to impose the costs is being accepted in the interest of justice.

Resultantly, with the abovesaid observations made, present writ petition stands dismissed, however, with no order as to costs.

[RAMESHWAR SINGH MALIK]
JUDGE

07.10.2016
vishnu

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No