

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

CWP No. 6188 of 2012

Date of decision:10.03.2016

Sadhu Ram

.....Petitioner

versus

UOI and others

.....Respondents

Coram: Hon'ble Mr.Justice Rakesh Kumar Jain

Present: Mr. S.S.Walia, Advocate
for the petitioner.

Mr. Raman Sharma, Advocate
for respondents No. 2 to 4.

Mr. Sunny Bhardwaj, Advocate
for respondent No. 5.

Rakesh Kumar Jain, J.(Oral)

Bharat Petroleum Corporation Ltd. (for short, 'the Corporation') had issued an advertisement dated 5.07.2010 for opening a retail outlet at Sarsod, National Highway No. 65 in District Hisar under the BP plan.

Shorn off the unnecessary details, the case set up by the petitioner is that respondent No. 5 was at No. 1 whereas he was at No. 2. The grievance of the petitioner is that he has not been given marks for owning 10 acres of land and being a resident of Sarsod which could have been upto 20 marks. It is submitted that had those marks been given to the petitioner after considering his holding of land and his residence in the village where the outlet is being opened, the decision could have been changed/different.

In the reply, however, the Corporation has submitted that there are two types of plans namely Urban-Rural and BPC Marketing Plan. It is submitted that concededly, the advertisement for the outlet was under the BPC plan. Had it been under the Rural plan, definitely the contention raised by the petitioner would have been valid but as it was BPC plan in which no one has been given any marks for owning agricultural land or being resident of the area where the outlet is to be opened, therefore, no marks were given to the petitioner.

I have heard both the learned counsel for the parties and after examining the available record, am of the considered opinion that the cause shown by the petitioner is not made out from the facts and circumstances of the case because the retail outlet was being opened under the BPC Plan and not under the Rural Plan, therefore, ownership of the petitioner of 10 acres of land and being the resident of Sarsodh was not rightly considered.

In view of the above, no merit is found in the present petition and the same is hereby, dismissed.

10th March, 2016

Shivani Kaushik

**[Rakesh Kumar Jain]
Judge**