

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

**CWP No. 22744 of 2016
Date of decision: 03.11.2016**

Vijay Rana

...Petitioner

Versus

Hindustan Petroleum Corp. Ltd. and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Vikas Bahl, Senior Advocate with
Mr. Vikram Rathore, Advocate
for the petitioner.

RAMESHWAR SINGH MALIK, J. (Oral)

Feeling aggrieved against the communication dated 19.10.2006 (Annexure P-9) and also the communication dated 10.9.2016 (Annexure P-8), petitioner has approached this Court by way of present writ petition under Articles 226/227 of the Constitution of India, seeking a writ in the nature certiorari for quashing the impugned communications. Petitioner also seeks setting aside of communication dated 18.10.2016 (Annexure P-10), whereby draw of lots is going to take place on 4.11.2016 for allotting the LPG Distributorship.

Heard learned senior counsel for the petitioner.

It is a matter of record that petitioner was not fulfilling the eligibility criteria of owning sufficient land on the last date for submission of application, as specified in the advertisement issued for allotment of LPG distributorship in question. Petitioner acquired the ownership at a later stage, which is clear from his own communication Annexure P-7 (colly) to the effect that he acquired the ownership vide sale deed No.1654 dated 13.1.2015, whereas the advertisement for allotment of LPG distributorship in question was issued much earlier, i.e. 20.11.2013. One of the eligibility conditions in this regard contained in clause 6.1 (viii) of the guidelines for the selection issued in August 2013, reads as under:-

*“Own a suitable shop of minimum size 3 metres by 4.5
metre in dimension or a plot of land for construction of*

showroom of minimum size 3 meters by 4.5 metre as on the last date for submission of application as specified in the advertisement or corrigendum (if any) at the advertised location or locality mentioned in the advertisement. It should be easily accessible to general public through a suitable approach road.”

During the course of hearing, when confronted with the communication dated 15.03.2016 (Annexure P-5) that it would not amount either to fresh advertisement or even a corrigendum, learned counsel for the petitioner had no answer and rightly so, it being a matter of record. Since the petitioner was not eligible at the relevant point of time, respondent authorities have committed no error of law, while issuing the impugned communications Annexures P-8 and P-9 and the same deserve to be upheld.

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 the instant petition is wholly misconceived, bereft of merit and without any substance, thus, it must fail. No case for interference has been made out.

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

03.11.2016
mks

(RAMESHWAR SINGH MALIK)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No