

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Letters Patent Appeal No.1462 of 2015 (O&M)

Date of Decision: March 01, 2016

Smt.Anju

.....Appellant

versus

Hindustan Petroleum Corporation Limited and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE P.B.BAJANTHRI.

Present: Mr.Jagdish Manchanda, Advocate, for the appellant.

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1. *Whether Reporters of Local papers may be allowed to see the judgment?*
2. *To be referred to the Reporters or not?*
3. *Whether the judgment should be reported in the Digest?*

Surya Kant, J. (Oral)

This letters patent appeal assails the order dated 13.02.2015 whereby learned Single Judge has disposed of the appellant's writ petition observing that her candidature for the selection of Retail Outlet Dealer for the site in Village Parladhpur, District Yamuna Nagar, shall be considered by Hindustan Petroleum Limited alongwith other applicants in terms of the new selection criterial notified on 09.10.2014.

[2] The necessity to dispose of the appellant's writ petition in the above stated terms was occasioned by the fact that the subject-site was advertised on 24.10.2010. The appellant as well as some of the private-respondents applied and they were interviewed in February, 2011. Finally respondent No.4 (Viney Thapar) was selected and placed at No.1 while Smt.Neeru Bansal (respondent No.5) was kept at

No.2. The appellant agitated against the preparation of selection panel alleging that she was not awarded appropriate marks under the head of 'land'. On the other hand, respondent No.5 was awarded 99 out of 100 marks by the Land Inspection Committee.

[3] The appellant then approached this Court through CWP No.11434 of 2011 wherein the official-respondents admitted that there was some deficiency in the evaluation made by the Land Inspection Committee and further agreed to revisit and revise the result.

[4] As the appellant was not selected despite undertaking the afresh exercise, she again approached this Court through the instant writ petition filed in the year 2013. During pendency thereof, all the State-owned Oil Corporations issued a fresh selection criteria for allotment of dealerships. It is in this backdrop that the learned Single Judge has disposed of the appellant's writ petition while observing that her candidature shall be considered alongwith other eligible candidates in the light of the new criteria.

[5] It is contended on behalf of the aggrieved appellant that since she has been time and again contesting court-cases, it is imperative upon the Corporation to take the selection process to a logical conclusion as per the original advertisement dated 24.10.2010.

[6] In our considered view, the appellant's contention is wholly misconceived and misdirected. No legally enforceable right has accrued in her favour merely because she remained in the zone of consideration. Neither the selection was finalized or published nor the appellant was ever selected. At best, it is a case of legitimate expectation which surely falls

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short of an indefeasible right enforceable through the Writ Court.

[7] No interference with the order passed by learned Single Judge is called for.

[8] Dismissed.

[SURYA KANT]
JUDGE

March 01, 2016
mohinder

[P.B.BAJANTHRI]
JUDGE