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

**CWP-17969-2013
Date of decision : 19.01.2017**

Waheed Khan

... Petitioner

Versus

Union of India and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Sarfraj Hussain, Advocate
for the petitioner.

Mr. Raman Sharma, Advocate
for respondent No.2.

Mr. Sandeep Singh Mann, Sr. DAG, Haryana
for respondent No.3.

Mr. R.N. Lohan, Advocate
for respondent No.4.

AMIT RAWAL, J. (ORAL)

The petitioner is aggrieved of the letter/order dated 28.01.2012 (Annexure P-2), whereby his application for allotment of Dealership of Petrol Pump at Nunera, Sohna-Ballabgarh Road, District Gurgaon, Open Category, Location No.152, has been rejected being ineligible, in essence, the application was not in a prescribed format of Retail Outlet dealership.

Mr. Sarfraj Hussain, learned counsel for the petitioner submits that the respondent(s)-private could not have been issued the allotment letter, if at all the application was not in a proper format. Before the

application could be considered, the authority should have intimated the petitioner. He could have filled the same in prescribed format, because the application was submitted within the prescribed limit as the last date was 13.10.2011. Since the petitioner has not been considered, therefore, valuable right has been taken away, thus, urges this Court for setting aside the letter/order under challenge.

Mr. Raman Sharma, learned counsel appearing on behalf of the respondent No.2-Bharat Petroleum Corporation Ltd., submits that the writ petition has been filed in August 2013, whereas the letter of intent in favour of the private respondent No.4 was issued on 16.04.2012. The petitioner has no *locus standi* to file the writ petition as he was not even in the zone of consideration. Had it been so, perhaps he would have some cause to agitate. In the absence of the same, the present writ petition is liable to be dismissed.

Similar is the argument of Mr. R.N. Lohan, learned counsel appearing on behalf of respondent No.4.

I have heard the learned counsel for the parties and appraised the paper book and of the view that no explanation has come forth in not filing the writ petition after the receipt of the rejection letter (Annexure P-2) communicated in January 2012. Even the letter of intent, thereafter, was issued in the month of April 2012 and the writ petition, as noticed above, has been filed in August 2013. Once the application was not in a prescribed format and the same was communicated to him, it is too late in a day to raise such plea and challenge the allotment in favour of private respondent(s). I am of the view that the petitioner has no *locus standi* to file the writ petition as his application was considered to be ineligible.

No ground is made out for interference and accordingly, the present writ petition is dismissed.

19.01.2017
Yogesh Sharma

(AMIT RAWAL)
JUDGE

	✓
Whether speaking/reasoned	Yes/ No
	✓
Whether Reportable	Yes/ No