

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

CWP No. 9367 of 2013

Date of decision : 09.08.2017

Balwinder Singh

....Petitioner

V/s

Union of India & ors

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Padamkant Dwivedi, Advocate for the petitioner.

Mr. Ashish Kapoor, Advocate for respondents no. 2 to 4.

Mr. H.S. Batth, Advocate for respondent no. 5.

RAJAN GUPTA J.

Petitioner has posed a challenge to selection process pursuant to advertisement dated 14.03.2011 for selecting LPG distributors under “Rajiv Gandhi Gramin Distributor Scheme”. At the outset, learned counsel appearing for the Corporation submits that outlet was commissioned way-back in December, 2013 and has been functional since then. According to him, respondent no. 5 was duly considered and selected as he was resident of the area. This averment is seriously disputed by counsel for the petitioner. According to him, respondent no. 5 was arbitrarily selected despite the fact that there was no proof of him being resident of the area.

In view of above, it is evident that disputed questions of fact are involved which cannot be adjudicated upon in writ jurisdiction.

Learned counsel for the petitioner submits that he may be allowed to withdraw this petition with liberty to avail the remedy of civil suit.

Dismissed as withdrawn with aforesaid liberty.

August 09, 2017
Ajay

(RAJAN GUPTA)
JUDGE

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