

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

LPA No.1354 of 2017 (O&M)

Date of Decision : 28th September, 2017

Smt. Kanchan Bala

..... Appellant

Versus

Bharat Petroleum Corporation Limited an another

..... Respondents

**CORAM : HON'BLE MR. JUSTICE MAHESH GROVER
HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI**

Present : Mr. Raman B.Garg, Advocate
with Ms. Gitanjali, Advocate
for the appellant.

MAHESH GROVER, J. (Oral)

This appeal is directed against the judgment dated 07.03.2017,
passed by the learned Single Judge.

In a process for grant of retail outlet, the appellant was unsuccessful. The appellant came to know about a letter dated 09.02.2012, issued by Bharat Petroleum Corporation Limited to M/s Bhakra Beas Management Board, indicating that in Talwara Township of District Hoshiarpur, M/s Bhakra Beas Management Board is the owner of land on both sides of the road. From this, the appellant contends that the Bharat Petroleum Corporation limited should have assessed the marks by excluding the head of holding of land and the valuation should have been done out of 65 marks.

We are of the opinion that these would be the issues left to the

granted consideration in November, 2015 whereas he approached the writ Court in November, 2016 belatedly which was also one of the grounds for negating his claim in writ proceedings. We find no infirmity in the approach of the learned Single Judge as it is the Corporation that is to take stock of the situation and the appellant merely had a right of consideration which was granted and he cannot insist upon the corporation to follow a particular procedure by excluding marks under certain heads.

Therefore, we do not find any ground to interfere but leave the appellant to raise these issues before the Corporation.

Accordingly, the instant appeal stands dismissed. However, liberty is granted to the appellant to raise all the issues before the Corporation.

(MAHESH GROVER)
JUDGE

(RAJ SHEKHAR ATTRI)
JUDGE

28th September, 2017
mamta-M

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No