

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

LPA No.187 of 2017 (O&M)

Date of Decision : 08.02.2017

Sandeep Kumar

....Appellant

Versus

Indian Oil Corporation Ltd. and others

....Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE DR.SHEKHER DHAWAN

Present: Mr. Paramjit Singh Jammu, Advocate
for the appellant.

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MAHESH GROVER, J. (Oral)

CM Nos.378 & 379-LPA of 2017

Marginal delay of 3 days in filing and 26 days in re-filing the appeal is condoned.

Applications are allowed.

LPA No.187 of 2017 (O&M)

This appeal is directed against the judgment of the learned Single Judge dated 07.10.2016 dismissing the writ petition preferred by the present appellant largely on the issue of delay as he had questioned the allotment of retail outlet in favour of respondent No.5 made in the year 2012 in 2016.

Learned counsel for the appellant contends that the learned Single judge has gone wrong in doing so as the cause of action had actually accrued to him in 2015 when the successful

allottee i.e. respondent No.5 was permitted to change the location from the one which he had offered at the time of consideration which was impermissible in view of the terms of the brochure and advertisement prohibiting such a change.

A perusal of the writ petition shows that the appellant never questioned the action of the Corporation to permit such change in the year 2015 and the only prayer in the writ petition with the preceding narrative of facts sequentially reveals a challenge to the allotment made in the year 2012 only. Consequently we are of the opinion that the learned Single Judge was right in dismissing the writ petition on the ground of a belated challenge to the selection process and consequential allotment in favour of respondent No.5.

No ground to interfere.

Dismissed.

(MAHESH GROVER)
JUDGE

08.02.2017
dss

(SHEKHER DHAWAN)
JUDGE

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