

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

CWP No. 21914 of 2018

Date of Decision: 30.08.2018

RAKESH

..... Petitioner

V/s.

UNION OF INDIA AND ANOTHER

....Respondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN.

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

RAKESH KUMAR JAIN, J. (Oral)

The petitioner has challenged the order/letters dated 26.07.2018 (Annexure P-5) and 01.08.2018 (Annexure P-6) which are exactly similar, though bearing different dates, by which his candidature for award of LPG distributorship has been rejected.

In brief, the respondents had issued an advertisement, inviting applications for allotment of LPG distributorship in the Rurban (Open) category in Hisar. The allotment is governed by the Brochure on Unified Guidelines for Selection of LPG Distributors Sheheri Vitrak, Rurban Vitrak, Gramin Vitrak and Durgam Kshetriya Vitrak, June 2017, applicable to the Indian Oil, Bharat Petroleum and Hindustan Petroleum.

The petitioner became successful in the draw of lots held on 17.11.2017 and he was asked to deposit a sum of ₹50,000/- towards field verification credentials (FVC) vide letter dated 18.11.2017. The petitioner deposited the said amount by way of a demand draft dated 21.11.2017. However, by the impugned order dated 26.07.2018, followed by the same

order dated 01.08.2018, that he was not found eligible in the field verification because of the following reasons: -

- 1. The land offered by you for the godown/showroom did not have registered lease deed.*
- 2. The first alternate land offered for godown within Swastik Cooperative House Building Society Ltd., Hisar was not suitable for the construction of godown as per Assistant Registrar, Co-operative Societies, Hisar.*
- 3. Documents of the second alternate land [Khewat No. 181, Khatauni No. 191, Khasra No. 75/3 Min West (8-0), Jamabandi Year 1976, Village – Kheriberki] offered for godown were not submitted within the stipulated period inspite of our repeated requests multiple times.*

The petitioner had allegedly made an application on 09.08.2018 to the effect that the Assistant Registrar, Cooperative Societies, Hisar vide his letter dated 27.06.2018 had found that the plots No. 23, 24 and 33 in Shyam Vihar Phase II, Hisar, measuring 1284.97 square yards, allotted to his father Hanuman Singh by the Swastik Cooperative House Building Society Ltd., Hisar could be used for the purpose of construction of godowns as the said plots are meant for commercial purposes. It is, thus, submitted that the respondents have committed an error in not taking into consideration the report of the Assistant Registrar, Cooperative Societies, Hisar dated 27.06.2018 while passing the impugned orders.

I have heard learned counsel for the petitioner and after perusal of the record, am of the considered opinion that the petitioner had nowhere mentioned about the date of FVC in this petition for which he had to deposit ₹50,000/- on 18.11.2017. Be that as it may, the respondents have

by him with the application was not on a registered lease, secondly; the alternate land offered by him was held to be not suitable by the Assistant Registrar, Cooperative Societies, Hisar and thirdly; the second alternate land offered by him for godown was not within the stipulated period.

The petitioner has not said a word in the petition that the reasons mentioned in the impugned order are incorrect. It is rather mentioned that he had made the representation on 09.08.2018 and supplied the document dated 25.06.2018 (Annexure P-8) with it, meaning thereby, it was not before the respondents when the impugned order was passed and conveyed to him on 26.07.2018 and 01.08.2018.

Thus, in view of the above, there is hardly any reason for this Court to interfere in this petition and hence, the same is hereby dismissed though without any order as to costs.

August 30, 2018

Ess Kay

(RAKESH KUMAR JAIN)
JUDGE

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