

CWP No.804 of 2015

[1]

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

CWP No.804 of 2015

Date of decision: February 15, 2018

Ram Nath Shukla

...Petitioner

Versus

Hindustan Petroleum Corporation Limited

...Respondent

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Sanjiv Gupta, Advocate,
for the petitioner.

Mr. Raman Sharma, Advocate,
for the respondents.

Rakesh Kumar Jain, J. (Oral)

The Hindustan Petroleum Corporation Limited (hereinafter referred to as the "Corporation") issued an advertisement dated 24.10.2010 for appointment of Retail Outlet Dealerships in the State of Punjab including the location "in or within 2 kms of village Bakshiwala on Patiala-Bhadson Road, District Patiala (Pb.)".

The application filed by the petitioner was in the name of "Ram Nath Shukla". The appointment of dealership is regulated by the Guidelines for Selection of Retail Outlet Dealers Information Brochure 2010 (hereinafter referred to as the "Brochure") in which, in the Eligibility Criteria, the following is provided:-

"4. Eligibility Criteria:

(a) Individuals

(i) Nationality: Should be Indian National.

- (ii) **Age:** As on the date of application (in completed years) not less than 21 years
- (iii) **Educational Qualifications:** Minimum Matriculation or recognized equivalent for all categories except FF, OSP, PMP & DC categories. However, persons applying under these categories will be assessed for this criterion.

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After the interviews were held, the following merit panel was prepared by the Corporation:-

Sr. No.	Candidate name	Marks awarded	Rank
1	Smt. Bhupinder Kaur	79.5	I
2	Sh. Ram Nath Shukla	77.01	II
3	Sh. Kuldeep Singh Walia	72.75	III

However, since 4 marks were wrongly awarded to Bhupinder Kaur on account of the land offered by her, the following revised merit panel was prepared:-

Sr. No.	Candidate name	Marks awarded	Rank
1	Sh. Ram Nath Shukla	77.01	I
2	Smt. Bhupinder Kaur	75.5	II
3	Sh. Kuldeep Singh Walia	72.75	III

Since there was change in the merit panel, re-interview was held on 10.02.2014 and fresh provisional merit panel was prepared, which reads as under:-

Sr. No.	Candidate name	Marks awarded	Rank
1	Smt. Bhupinder Kaur	79	I
2	Sh. Kuldeep Singh Walia	72.75	II
3	Sh. Ram Nath Shukla	**	In-eligible

The petitioner then made a complaint on 13.02.2014, in which the

Corporation appointed the Chief Manager, ARB & Branding, North Zone as the Investigating Officer who had found that the petitioner had applied under the name of “Ram Nath Shukla” but appended the documents of the person called as “Ram Nath Sharma”.

Learned counsel for the petitioner has submitted that the petitioner is known by three names, namely, Ram Nath, Ram Nath Sharma and Ram Nath Shukla. However, he could not deny that his name in the matriculation certificate is mentioned as “Ram Nath Sharma”.

The petitioner failed to append the matriculation certificate having been issued in the name of “Ram Nath Shukla”, whereas the application filed by him for the purpose of allotment of dealership was in the name of “Ram Nath Shukla”, which was at variance with the documents appended. The petitioner may be a writer, as alleged, and might be having a pen-name of “Ram Nath Shukla” but his actual name in the educational record is “Ram Nath Sharma” much-less in the matriculation certificate and he cannot seek the appointment of dealership in the name of “Ram Nath Shukla” as it would create the identification crisis.

Thus, to my mind, there is no error committed by the respondent-Corporation in holding the petitioner ineligible for the purpose of seeking allotment of dealership on the aforesaid basis.

Consequently, the present petition is hereby dismissed being denuded of any merit, though without any order as to costs.

February 15, 2018
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(Rakesh Kumar Jain)
Judge

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