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

**CWP No.3875 of 2018
Date of decision:25.07.2018**

Rattandeep Singh

...Petitioner

Versus

Bharat Petroleum Corporation Limited and another

...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Sunny Singla, Advocate,
for the petitioner.

Rakesh Kumar Jain, J.

The petitioner has prayed for the issuance of a writ in the nature of *certiorari* for quashing the letters dated 21.04.2016, 16.06.2016 and 19.12.2017, by which candidature of the petitioner for allotment of LPG Distributorship has been rejected.

In short, the Bharat Petroleum Corporation Limited (hereinafter referred to as the "Corporation") along with other Oil Companies issued an advertisement on 26.10.2013 in various newspapers for allotment of LPG Distributorship for various categories at various locations in the State of Punjab. One such location was Budhlada in District Mansa under SC(GP) category for urban rural. The petitioner submitted an application for the said location on 25.11.2013 and qualified in the draw of lots held on 05.11.2014. However, the petitioner received a letter on 21.04.2016 by which he was informed that his candidature has been cancelled, *inter alia*, on the grounds that the land offered by the petitioner for construction of the LPG godown does

not meet the minimum required dimension criteria of 25 x 30 meters as specified in the guidelines as the petitioner has offered 01 Kanal 07 Marlas of land, which comes to 683.15 Sq. Meters against the minimum requirement of 750 square meters and secondly the certificate furnished by the petitioner of SC(GP) category was fake because it was not issued by the Head of the Department or an officer not below the rank of Under Secretary to the Government.

Learned counsel for the petitioner has vehemently argued that the petitioner is the dependent of a government servant who is required to attach the copy of the relevant certificate signed by the Head of the Department or the officer not below the rank of Under Secretary to the Government. He has referred to two certificates attached as Annexures P-13 and P-14 to contend that the certificate Annexure P-13 is though issued by the Block Education Officer but it has been attested by the Director, Public Instructions (SE), Punjab. He has also referred to the certificate Anneuxre P-14, purported to have been issued by the Sub Divisional Magistrate, Budhlada.

In regard to the size of the plot, it is submitted that the petitioner has offered the correct size of the plot but the respondents have wrongly considered in Kanal and Marla.

After hearing learned counsel for the petitioner and examining the available record, I am of the considered opinion that there is no merit in the present petition as the area of the plot offered by the petitioner should have been 750 square meters, whereas he has offered the plot of 683.15 square meters, therefore, it was below the minimum required dimensions. Secondly, the certificates furnished by the petitioner do not inspire any confidence

because the certificate Annexure P-13 is not apparently found to be signed by the Director, Public Instructions (Head of the Department) as it has been stated to be attested by the said officer and, thus, it was not as per the requirement of the guidelines as per which it should have been issued by the Head of the Department. Further, the certificate Annexure P-14 is also not issued by the officer of the rank of Under Secretary to the Government.

In view of the above, I do not find any merit in the present petition and hence, the same is hereby dismissed, though without any order as to costs.

July 25, 2018
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(Rakesh Kumar Jain)
Judge

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