

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

CWP-9070-2017 (O&M)
Date of decision : 24.09.2018

Ravi Yadav

...Petitioner(s)

Versus

Bharat Petroleum Corporation Ltd. and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Aditya Singh Yadav, Advocate,
for the petitioner.

Mr. Dhruv Sharma, Advocate,
for Mr. Aman Arora, Advocate,
for the respondents.

JITENDRA CHAUHAN, J.

The petitioner is aggrieved against impugned letter dated 15.10.2012 (Annexure P-7), whereby, his application for appointment of retail outlet dealer of Petrol/Diesel Pump has been rejected.

Learned counsel contends that the candidature of the petitioner has been wrongly rejected. As per note No.2 of the financial parameters, it was specifically mentioned that the funds should be made available for the retail outlet dealership as and when required. The petitioner had sufficient funds at this disposal. On one hand, he has even been awarded full marks under the head 'finance', and on the other, his candidature has been rejected solely on the ground that the funds were not available with the petitioner as on the date of application.

On the other hand, learned counsel for the respondents contends that the the present petition is barred by delay as the candidature of

the petitioner was rejected vide impugned letter dated 15.10.2012, whereas, the instant petition came to be filed on 25.04.2017, i.e. after a period of more than four years and six months. It is further submitted that the petitioner misrepresented himself qua availability of funds at his disposal, which came to the notice of the authorities during Field Verification of Credentials (FVC).

Heard.

A careful perusal of the case file reveals that in order to get allotted the dealership, the petitioner showed inflated figures in his bank accounts. He firstly deposited the amount in his bank account at ICICI Bank and got issued a bank certificate for an amount of Rs.4,80,883/-. Thereafter, he debited the Rs.4,80,000/- out of the said amount from his ICICI Bank account and transferred the same in his account with the HDFC Bank and obtained a bank certificate for the amount of Rs.9,91,828.41/-. During FVC, it was discovered that the petitioner maintained account balance of Rs.3,24,783/- in the ICICI Bank and Rs.1,828/- in the HDFC Bank, which reveals that the petitioner misrepresented the facts in his application form.

In view of the above, this Court does not find any illegality or irregularity with the impugned action of the respondents in rejected the candidature of the petitioner. Accordingly, finding no merit in the instant writ petition, the same is, hereby, dismissed.

24.09.2018
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(JITENDRA CHAUHAN)
JUDGE

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