

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

LPA No.208 of 2015 (O&M)

Date of Decision: 26.09.2018

Bharat Petroleum Corporation Ltd. ...Appellant

VS.

Sunita Rani & Ors. ... Respondents

(2) LPA No.214 of 2015 (O&M)

M/s Indian Oil Corporation Ltd. ...Appellant

VS.

Sunita Rani & Ors. ... Respondents

(3) LPA No.225 of 2015 (O&M)

Sunita Rani ...Appellant

VS.

Union of India & Ors. ... Respondents

(4) LPA No.324 of 2015 (O&M)

Hindustan Petroleum Corporation Ltd. ...Appellant

VS.

Sunita Rani & Ors. ... Respondents

(5) LPA No.518 of 2015 (O&M)

Union of India & Anr. ...Appellants

VS.

Sunita Rani & Ors. ... Respondents

**Coram : Hon'ble Mr.Justice Surya Kant
Hon'ble Mr.Justice Sudip Ahluwalia**

Present: Mr. Raman Sharma, Advocate
for the appellant in LPA No.208 and 324 of 2015.

Mr. Ashish Kapoor, Advocate
for the appellant in LPA No. 214 of 2015
for the IOCL in other appeals

Mr. Vivek Singla, Senior Panel Counsel
for the appellant in LPA No. 518 of 2015.

Mr. Jaivir Yadav, Advocate for the applicant
in CM No. 4605 to 4607 of 2017 in LPA No. 214 of 2015.

Ms. Tarlok Singh Chauhan, Advocate and
Mr. Satnam Chauhan, Advocate;
Mr. Sheenu Sura, Advocate;
for the appellant in LPA No. 225 of 2015 and
for respondent No.1 in LPA Nos. 208,214,324 and 518 of 2015.

Mr. Kewal Singh, Advocate for the applicant
in CM No. 4330 & 4331-LPA-2017 in LPA No. 208 of 2015.

Mr. R. S. Budhwar, Advocate for the applicant
in CM Nos. 1084 & 1085-LPA-2018 in LPA No. 208 of 2015.

Mr. Abhinav Gupta, Advocate for the applicant
in CM Nos.4092, 4093-LPA of 2017 in LPA No. 208 of 2015.

Mr. Kshitij Sharma, Advocate for the applicant
in C.M.Nos. 3860,3861-LPA of 2016 in LPA No. 214 of 2015

Mr. SC Gupta, Advocate for the applicant

Mr. Balwinder Singh, Advocate for the applicant

SURYA KANT J. (Oral)

(1) The above-captioned intra-court appeals have arisen out of the order dated 16.12.2014 passed by learned Single Judge in relation to the allotment of a site for locating LPG facilities which was to be reserved for SC/ST categories.

(2) Being dissatisfied with the order passed by learned Single Judge, the writ-petitioner as well as the contesting respondents have filed these intra court appeals. Their grievance is that several issues raised from both sides have not been effectively adjudicated. Keeping this in view, learned counsel for the parties have agreed that the matter may be remitted to learned Single Judge for fresh adjudication of all the issues as may be raised by the parties.

(3) For the reasons afore-stated and without expressing any views on merits, these appeals are allowed; the order under appeal dated 16.12.2014 is set aside and the matter is remitted to learned Single Judge for fresh adjudication with a request that since the matter is pending from last more than four years, the writ petition(s) may preferably be decided within two months. It is clarified that the allotment of LPG distributorship reserved for SC/ST categories, if already made, shall be subject to the final directions to be issued by the learned Single Judge. However hitherto, the process for allotment of fresh LPG distributorship for SC/ST categories, if already initiated, may continue but no final allotment shall be made till the decision of writ petition(s).

(4) As a corollary to the above, no specific order is required to be passed in the miscellaneous applications moved in these appeals. All the applications stand disposed of accordingly with liberty to the parties to raise their respective pleas before learned Single Judge. Similarly, all the intervenors are permitted to assist the learned Single Judge in the matter.

(5) Parties are directed to appear before learned Single Judge on 08.10.2018.

(6) Ordered accordingly.

(Surya Kant)
Judge

26.09.2018
vishal shonkar

(Sudip Ahluwalia)
Judge

1. Whether speaking/reasoned?
2. Whether reportable?

Yes
No