

RA No. 57 of 2018 (O&M) in
CWP No. 644 of 2018

Harvinder Singh and vs. State of Punjab and others
another

Present: Mr. Vishal Sodhi, Advocate
for the applicant-petitioner.

Mr. Raman Sharma, Advocate, for respondent No.5.

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CM No. 3051 of 2018

Heard. For the reasons mentioned in the application,
delay of 7 days in filing the review application is condoned.
Application stands disposed of.

Review Application No. 57 of 2018
in CWP No.644 of 2018

Affidavit filed on behalf of respondent No.5 in Court
is taken on record. This is an application for
review/modification of our order dated 16.01.2018. In paragraph-
2 of the order, it is inter-alia stated "Pursuant thereto,
respondent No.5- Hindustan Petroleum Corporation Limited
recommended that although the petitioners had no legal claim, a
sympathetic view can be taken in the light of the peculiar
circumstances of the case....".

Learned counsel for both the parties agree that it is
not respondent No.5 but respondent No.2 who made the
recommendations. It is not necessary to consider whether that
would make a difference to the order or not in view of the
statement made on behalf of HPCL i.e. respondent No.5 itself.

Learned counsel appearing on behalf of HPCL-
respondent No.5 states that the allotment is to be made by the
other respondents to Hindustan Petroleum Corporation Limited
(HPCL) and not to the petitioner in any event. Learned counsel

appearing on behalf of the petitioner agrees that that is so. Both the learned counsel for the parties also state that in the event of the plot being allotted to HPCL, the HPCL will set up the petrol pump and appoint the petitioner as a dealer with respect thereto. Learned counsel appearing on behalf of HPCL states that there is a policy of the other respondents which requires the plot to be allotted to government oil companies including HPCL.

The order sought to be reviewed proceeded on the basis that it is the petitioners who sought the allotment even of the plot. This infact appears to be so from the nature of the petition including the prayers. However, now the learned counsel appearing on behalf of the petitioner agrees that the position is different and as stated by the learned counsel appearing on behalf of HPCL and as noted above. HPCL is always at liberty to request the other respondents to allot the plot on the basis of the earlier application or on the basis of fresh applications.

The review application is accordingly disposed of in terms of the statements made by both the learned counsel as recorded above. It is clarified that we express no views whatsoever on the correctness of the statements.

(S.J. VAZIEDAR)
CHIEF JUSTICE

(AVNEESH JHINGAN)
JUDGE

08.03.2018
ravinder