

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No.7000 of 2008**

- Smt. Pooja Dubey W/o Shri Ajay Dubey Village Funda, Tahsil Patan Distt. Durg Cg

---- Petitioner**Versus**

1. Indian Oil Corporation Raipur Divisional Office through its Senior Divisional Manager, Indian Oil Bhavan, Rajiv Gandhi Marg Vip Road P.O. Ravigram Telibandha Raipur Cg
2. Chief Retail Sales Manager, Indian Oil Corporation, Indian Oil Bhavan, Rajiv Gandhi Marg Vip Road P.O. Ravigram Telibandha Raipur Cg
3. Kanwarjeet Kaur W/o Manohar Singh, Village-Funda, Tahsil Patan, District Durg (CG)

---- Respondents**Present:-**

Shri Pranjal Shukla, Advocate for petitioner.

Shri Nitesh Jain, Advocate for respondent No.3.

Single Bench : Hon'ble Shri Justice Manindra Mohan Shrivastava**JUDGMENT****27/11/2019**

Heard.

1. This writ petition under Article 226 of the Constitution of India has been filed by the petitioner aggrieved by rejection of her application in the matter of allotment of Petrol Pump in the rural area.
2. Though, learned counsel for the petitioner submits that minimum qualification/criteria was not applicable to woman candidates, her application was wrongly rejected, this Court finds that the respondent No.3 was allotted retail outlet way-back in the year 2008 and as there was no interim order, respondent No.3 has all through been operating retail outlet and raised various

construction with investment.

3. This Court also finds that the petitioner had initially filed a civil suit. In the suit, the petitioner has sought for temporary injunction. That application was rejected. The petitioner withdrew the suit and filed writ petition before this Court. Though, in the writ petition, the fact of filing of suit was disclosed, but, the petitioner conveniently suppressed the fact that she had also applied for temporary injunction, which was rejected by the trial Court.

Present is not a case where challenge to order of allotment is based on the ground that the respondent No.3 suffers from any disqualification and has not been rightly held to be qualified.

4. In view of above consideration that the respondent No.3 has been operating the petrol pump for the last 11 years, in these peculiar circumstances, which have been noticed hereinabove, this Court is not inclined to interfere in the order of allotment of retail outlet.

5. Accordingly, the petition is dismissed.

SD/-
(**Manindra Mohan Shrivastava**)
JUDGE