

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

CWP No.9020-2019 (O&M)
Date of decision : October 29, 2019

MUBARIK HUSSAIN

.....Petitioner

Versus

UNION OF INDIA THROUGH ITS SECRETARY AND ANR

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Rajesh K. Kataria, Advocate
for the petitioner.

Ms. Saigeeta Srivastava, Advocate
for respondent No.1.

Mr. Aman Arora, Advocate
for respondent No.2.

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TEJINDER SINGH DHINDSA , J (ORAL)

Challenge in the instant writ petition is to the order dated 14.03.2019 (Annexure P-9) passed by the concerned authority under the Bharat Petroleum Corporation Limited whereby petitioner was held ineligible for allotment of a retail outlet dealership at KM Stone 85 to 90 Gurgaon Alwar Road, RHS, NH248.

It so transpires that along with the written statement filed on behalf of the Bharat Petroleum Corporation Limited there is a document annexed as Annexure R2/2 and a perusal of which reveals that the site

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evaluation Committee conducted a subsequent evaluation exercise and which has led to passing of a subsequent order of rejection dated 30.04.2019.

Even though copy of the written statement has been furnished to counsel for the petitioner in the month of May 2019 itself yet there is no challenge in the writ petition to the order dated 30.04.2019 (Annexure R2/2).

Confronted with such a situation counsel seeks withdrawal of the instant writ petition with liberty to raise a challenge to the subsequent order dated 30.04.2019 passed by the Bharat Petroleum Corporation Limited and on such grounds that may be available in accordance with law.

In view of the above and without even opining as regards the validity of the initial order dated 14.03.2019 (Annexure P-9) the instant writ petition is disposed of in terms of granting the petitioner liberty to assail the subsequent order dated 30.04.2019 as well in accordance with law.

The writ petition is disposed of in the aforesaid terms.

Pending application(s) if any shall also stands disposed of.

**(TEJINDER SINGH DHINDSA)
JUDGE**

October 29, 2019.

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No