

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

CWP No.11079 of 2019
Date of decision:- 30.04.2019

Harinder Singh

.....Petitioner

Versus

Union of India and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Jagdish Manchanda, Advocate
for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

Pleadings on record would indicate that the respondent-Bharat Petroleum Corporation Ltd. issued advertisement dated 25.11.2018 for allotment of a retail outlet for the location within 4 Kms from Shaheed Udham Singh Chowk towards Samana, State Highway No.11, Kaithal, for open category. Petitioner herein was also an applicant.

Counsel submits that in the result declared, the selected candidate shown is one Mr. Saket Parkash Garg.

It is argued that selection of the afore-noticed candidate suffers from certain infirmities and as per brochure issued by the respondent-Corporation, the petitioner has invoked the Grievance/Complaint Redressal System in terms of filing a complaint dated 06.03.2019 (Annexure P-5).

It is urged that as per the relevant clause under the brochure, a complaint, if any, has to be submitted within a period of 30 days from the date of declaration of result alongwith a requisite fee of Rs. 5,000/-.

The categoric contention raised by the counsel is that the complaint dated 06.03.2019 (Annexure P-5) was submitted within 30 days of

the date of declaration of result of the location in question and accompanied with the requisite fee but till date no decision thereupon has been taken and the respondent authorities are now in the process of issuance of LOI in favour of the successful candidate.

Counsel makes a statement that he would confine the prayer in the instant petition for issuance of a direction to the respondent authorities to take a final decision on the complaint dated 06.03.2019(Annexure P-5).

In the light of such short prayer/submission made by counsel and without even ascertaining the correctness of the averments made in the writ petition, I deem it appropriate to dispose of the instant writ petition with a direction to respondent No.4/competent authority to examine the complaint dated 06.03.2019(Annexure P-5) and to take a decision thereupon expeditiously and in any case within a period of three weeks from the receipt of certified copy of this order and convey the same to the petitioner.

It is, however, clarified that the complaint dated 06.03.2019 (Annexure P-5) would be processed as per the relevant clause contained in the brochure by the respondent-Corporation and it would be upon for the respondent-Corporation/competent authority to even reject the same, in case, the same has not been filed within the time frame of 30 days stipulated in the relevant clause.

Writ petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

30.4.2019

rakesh

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No