

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.6390 of 2014 (O&M)

Date of Decision: 23.01.2019

Hamesh Kumar

... Petitioner

Versus

State of Haryana and others

... Respondents

2.

CWP No.10719 of 2016 (O&M)

Meena

... Petitioner

Versus

State of Haryana and others

... Respondents

3.

CWP No.10720 of 2016 (O&M)

Rajinder Kumar

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Raman B. Garg, Advocate with
Ms. Geetanjali, Advocate
for the petitioner in CWP No.6390 of 2014.

Mr. Rajinder Goyal, Advocate
for the petitioner in CWP-10719-2016 and
CWP-10720-2016.

Mr. Sunil Kumar Vashisht, DAG, Haryana.

Mr. Raman Sharma, Advocate
for respondent No.4.

ARUN MONGA, J. (ORAL)

1. The learned counsels appearing for respective parties are ad idem that the case of the petitioners is covered by a judgment rendered by Division Bench of this Court in LPA Nos.1573 of 2014 and 1574 of 2014.
2. Learned State counsel submits that case of the petitioners would be considered in light of the DB judgment, *ibid*. Learned State counsel further states that upon consideration thereof, appropriate orders shall be passed afresh after granting the petitioners' opportunity of being heard. On the other hand, learned counsel for the petitioners points out that in a meeting held under the Chairmanship of Superintending Engineer, Rewari Circle, it was already decided that where the distance between the retail outlet and road inter-section is less than 300 metres, the retail outlet/Oil Corporation shall construct a service road in order to avoid puncture in the traffic and to avoid any accident thereof.
3. Without commenting on the merits of the case, it is made clear that all rival contentions are kept open to be decided in accordance with the aforesaid Division Bench judgment of this Court while passing the fresh orders.
4. In the circumstances, the impugned orders dated 18.08.2011(Annexure P-7) and 21.03.2012 (Annexure P-10) are set aside and respondent No.2 is directed to decide the case of the petitioners in terms of the observations made above.
5. Disposed of accordingly.

23.01.2019*rekha sharma***(ARUN MONGA)
JUDGE**

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*