

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 1787 of 2020**

Smt. Archana Gupta, W/o Navin Gutpa, Aged About 47 Years R/o H. No. R - 4, Anupam Nagar, Raipur, Tehsil And District - Raipur Chhattisgarh.

---- Petitioner**Versus**

1. The Union of India, Through: The Ministry of Petroleum And Natural Gas (M O P And N G)
2. The Director, Hindustan Petroleum Corp. Ltd. 6th Floor, No. 17, Petroleum House, Jamshedji Tata Road, Churchgate, Mumbai - 400020, Near Mantralaya, Opposite L I C Office
3. The Hindustan Petroleum Corp. Ltd., Through Head Of Regional Office, Madina Manzil, 2nd Floor, Medical College Road, Raipur, District - Raipur Chhattisgarh.
4. The General Manager, The Hindustan Petroleum Corporation Ltd, Madina Manzil, 2nd Floor, Medical College Road, Raipur, District - Raipur Chhattisgarh.

---- Respondents

For Petitioner	:	Mr. Y.C. Sharma, Advocate along with Mr. Sachin Nidhi, Advocate
For Respondent(s)	:	Mr. B. Gopa Kumar, Asstt. S.G.

Hon'ble Shri Justice P. Sam Koshy
Order on Board

27/08/2020

1. The grievance of the petitioner in the present writ petition is not an action on the part of any of the respondents. The grievance of the petitioner seems to be his inability to submit his tender papers for participating in the Retail Outlet Petrol Pump Dealership allotment at village Champajhar by the respondent No.2.
2. According to the petitioner, an advertisement was published on 14.12.2020 for all those eligible persons to submit their documents by

the 05.01.2020, which was the last date. It is the further contention of the petitioner that he had all the requisite documents ready for the submission and he had given it to an agent on the 04.01.2020 for submission of his documents, however on account of some technical glitch at the agents end, the documents could not be submitted. Since then the petitioner has been approaching the authorities for permitting to participate in the tender proceedings.

3. This Court prima-facie is of the opinion that the writ petition is devoid of merit for the reason that there is no fault attributed on the part of the respondents, which denied the petitioner her right to participation in the advertisement. The advertisement was issued on 14.12.2019 and the last date prescribed was 05.01.2020. The petitioner ought to have taken all necessary steps in ensuring submission of papers promptly in accordance with the conditions stipulated in the advertisement itself.
4. Even otherwise the petitioner could not have left it upon his agent to whom she had given for submission of his papers without pursuing the same knowing fully well that 05.01.2020 is the last date particularly when the petitioner had approached her agent on the 04.01.2020. It was incumbent upon the petitioner to have ensured that the documents are submitted properly and within the stipulated period and even if there were some technical glitches on the part of the agent to which the petitioner had submitted her documents, the petitioner could have taken those documents and got it done from a different place.
5. If the petitioner on account of her own lapse is not able to submit her

papers/ documents within the stipulated period prescribed, the respondents cannot be held responsible for the lapse of the petitioner, nor can it be expected that the respondents now to permit the petitioner to participate or else there can be a Pandora box of similar claims being raised by large number of people and the respondents would never be able to finalize the tender proceedings.

6. Given the facts and circumstances of the case, this Court does not find any merit in the writ petition and the same deserves to be and is accordingly rejected.

Sd/-
(P. Sam Koshy)
Judge

Ved