

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

CWP 17365 of 2020 (O&M)

Date of Decision: October 16, 2020

Sarbjeeet KaurPetitioner
Versus
The State of Punjab and others Respondents

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Madan Lal Saini, Advocate
for the petitioner.

FATEH DEEP SINGH, J. (Oral)

The matter has been taken up through video-conferencing on account of outbreak of pandemic COVID-19.

The petitioner Sarabjit Kaur has invoked the jurisdiction of this Court in terms of Articles 226/227 of Constitution of India, whereby, she has sought a prayer by way of issuance of writ in the nature of *certiorari* seeking quashment of letter dated 13.09.2019 (Annexure P-4) and letter dated 26.08.2020 (Annexure P-13) of respondent No.5 whereby claim

of the petitioner for issuance of 'No Objection Certificate' was declined.

Heard Mr. Madan Lal Saini, Advocate for the petitioner and perused the records.

The petitioner claims that she had applied for a proposed retail outlet of Bharat Petroleum Corporation Limited, Jalandhar, Territory Retail at a location situated on link road of village Shampura District Rup Nagar. It is the claim of the petitioner that finding her to be suitable, allotment letter was issued by the Bharat Petroleum Corporation Limited on 28.05.2019, whereby, conditions were enumerated and as per one of these conditions a 'No Objection Certificate' for the proposed place of installation of retail outlet has to be obtained from the respondents which stood declined. It is own stand of the petitioner enumerated in their document Annexure P-5, a notification No. 12/23/2019-3BR3/1402253 dated 24.01.2019 of the Government of Punjab, Department of Public Works (Buildings and Roads-3 Branch) whereby norms/guidelines are notified for the issuance of 'No Objection Certificate' by the concerned Executive Engineer for access, location and layout of roadside fuel/service station in the State of Punjab which in case of Hilly/Mountainous Terrain as in the case of petitioner provides that place with intersection with NHs/SHs/MDRs, there should be minimum distance of 200 meters and in case

intersection with all other roads and tracks 100 meters. As per the letter issued by the Executive Engineer, Construction Division, B&R Branch, Rup Nagar (respondent No.5.), the distance from the boundary of the proposed petrol pump from Ropar bypass comes to 57.50 meters and, thus, does not fulfils the requisite criteria and, therefore, the plea of the petitioner for issuance of 'No Objection Certificate' was rightly dismissed. Thus, there appears to be no illegality or perversity in the letters (Annexures P-4 and P-13) under challenge.

The petition being hopelessly without any merits is dismissed.

October 16, 2020
amit rana

(FATEH DEEP SINGH)
JUDGE

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