

10
23.12.2021.
d.p.

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

**W.P.A 20399 of 2021
(Via Video Conference)**

**Jayati Saha Roy
-versus
Union of India & Ors.**

**Mr. Arjun Mukherjee,
Mr. Subhasish Mukhopadhyay,
Mr. Lalratan Mondal,
Mr. Probal Sarkar.
...For the Petitioner.**

**Mr. Puspendu Chakraborty.
...For IOCL.**

**Mr. Amal Kumar Datta.
...For UOI.**

The application of the petitioner for obtaining Retail Outlet Dealership has been cancelled as the land offered by her had a 33 KVA High Tension line running above the same.

The brochure for selection mentions that the evaluation of the offered land will be carried out to ascertain land being in advertised area and suitable for development of retail outlet.

It was further specifically mentioned that the land which has got High Tension line of more than 11 KVA crossing over the same will not be considered and will be rejected.

The petitioner submits that she has already taken steps for removal of the High Tension line and prayer has been made for extension of time for removal of the said High Tension line.

As it appears that the land of the petitioner was unfit for grant of retail outlet on the date she made the application, accordingly, granting of any further extension of time at this stage for removal of the defect of the land would amount to changing the terms and conditions of the advertisement.

The land of the petitioner was unfit on the date the application was made. The same was unfit on the date the land Evaluation Committee inspected the site and the land is unfit till date.

It is not open for the Court to extend the time for removing the defect in the land.

It is for the respondent authority to consider the prayer of the petitioner. The prayer has been considered and rejected.

The Court does not feel it necessary to interfere in the matter.

The writ petition fails and is hereby dismissed.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)