

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

Sr. No.202

**CWP-11784-2021 (O&M)
Date of decision : 06.08.2021**

Teja

..... Petitioner

VERSUS

Indian Oil Corporation, Hisar Division Office and Another Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. R.S. Mamli, Advocate, for the petitioner.

Mr. Ashish Kapoor, Advocate, for the respondents.

SUDHIR MITTAL, J. (Oral)

This writ petition has been filed for a direction to the respondents to conduct draw of lots in respect of retail outlet on the location within two kilometers of Dhani Brahaman Bus Stand towards Hansi on Jind to Hansi road.

Learned counsel for the petitioner has submitted that the advertisement for the said outlet was issued in the year 2018. Draw of lots in respect of all other outlets mentioned in the said advertisement has been conducted except for the outlet in dispute. Thus, an appropriate direction may be issued to the respondents to conduct draw of lots.

Written statement has been filed on behalf of the respondents, in which, it has been submitted that the petitioner is an applicant in Group-1. Three candidates had applied in the said group and one Keshav son of Laxmi Narayan was declared successful in draw of lots held on 11.02.2019. His land was inspected, but was found unsuitable and thus, his candidature was moved to Group-3. This left only the petitioner and one Suresh Kumar and draw of lots was scheduled for them for 25.07.2019. However, Keshav son of Laxmi Narayan approached the civil

Court and obtained an order of status quo on 22.07.2019 and in view of the said order, the draw of lots scheduled for 25.07.2019 was cancelled. The suit was ultimately withdrawn on 25.11.2019 with liberty to file a fresh one. Thereafter, on account of the ongoing Covid-19 pandemic restrictions, draw of lots was held on 09 & 10-03-2021 for Hisar, but the outlet in dispute could not be included therein as a representation filed by Keshav son of Laxmi Narayan was pending. The said representation has been rejected vide order dated 13.07.2021 and the outlet in dispute will be included in the next draw of lots.

In view of the averments in the written statement, it is apparent that draw of lots has already been held in respect of the outlet in dispute, but final selection of candidates has been delayed on account of factors mentioned in the written statement. Thus, it cannot be said that the respondents have been remiss in their public duty.

Accordingly, the writ petition is disposed of with a direction to the respondents to hold draw of lots in respect of outlet in dispute also as expeditiously as possible.

(SUDHIR MITTAL)
JUDGE

06.08.2021

Ramandeep Singh

Whether speaking / reasoned

Yes / No

Whether Reportable

Yes/ No