

CWP-7052-2021

Date of Decision: 17.01.2022

Rajender Singh**....Petitioner****VS****Haryaa Shehri Vikas Pradhikaran and others****....Respondents****CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL****Present:** Mr. Sourabh Goel, Advocate
for the petitionerMr. Deepak Balyan, Advocate
for respondents No. 1 to 4

SUDHIR MITTAL, J. (Oral)

The petitioner was an applicant for a retail outlet in Group-3 in the Scheduled Caste category. A Letter of Intent was issued in his favour but the same was cancelled vide impugned order dated 05.01.2020 (Annexure P-24) as he failed to offer land.

Learned counsel for the petitioner has argued that vide policy dated 26.02.2007, the Haryana Urban Development Authority (hereinafter referred to as 'the Authority') had resolved to allot retail outlets in HUDA Sectors only to Oil Companies and not to individual LOI holders. Pursuant to this decision, a meeting of the Interview Committee was held on 14.11.2013 in respect of the site, subject matter of the present advertisement and the said site was allotted to M/s ESSAR ENERGY Oil Company Limited, Noida. Thus, the advertisement issued by Bharat Petroleum Corporation Limited (BPCL) was a sham advertisement. It could not have advertised the site in respect of which the Interview Committee had not made a recommendation in its favour. Thus, a direction may be issued to

Primarily, the petitioner is aggrieved on account of cancellation of his LOI by BPCL vide communication dated 05.01.2020. Thus, cause of action for filing this writ petition has arisen only against BPCL. In case any demands have been raised before HSVP (successor of HUDA), the said demands would, if at all, furnish a separate causes of action for which a separate writ petition could be filed. Two separate and distinct cause of action can not be joined in one writ petition. Thus, no relief can be granted to the petitioner so far as HSVP is concerned. Regarding BPCL, the submission is that vide another decision dated 14.11.2013 the Interview Committee has recommended allotment of site in Sector 24, Hisar in its favour and, thus, a direction may be issued to consider the petitioner against the said site.

There is nothing on record to show that the site in Sector 24, Hisar has been advertised. In the absence of any advertisement no direction can be issued as is being prayed for.

In view of the above, the writ petition has no merit and is dismissed.

17.01.2022

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**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No