

CWP-7626-2020 (O&M)

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

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CWP-7626-2020 (O&M)
Date of Decision: 30.10.2023

Sohan Lal

...Petitioner

Versus

M/s Indian Oil Corporation Limited and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Vijay Pal, Advocate for the petitioner
Mr. Ashish Kapoor, Advocate for respondent No.1
Mr. R.S. Madaan, Advocate for respondent No.2-NHAI
Mr. Rajender Goel, Advocate for respondent No.3

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of communication dated 11.01.2020 (Annexure P-19) whereby candidature of the petitioner for allotment of petrol pump has been rejected.
2. The petitioner pursuant to an advertisement applied for the allotment of petrol pump. The petitioner was declared successful in the draw of lots. The petitioner offered a piece of land which was a leased property. The land offered by the petitioner was not found suitable and accordingly, candidature of the petitioner was rejected. The land offered by the petitioner was a leased land and lessor cancelled the lease deed. The petitioner was granted sufficient time by this Court to get lease deed, however, the petitioner has failed to get the lease deed in his favour.

3. Learned counsel for the petitioner submits that as per Note No.2 of Brochure dated 24.11.2018 issued by Indian Oil Corporation, the respondent-corporation was supposed to give him an opportunity to offer alternative land.
4. Learned counsel for respondent No.3 submits that despite sufficient opportunities granted by this Court, the petitioner has miserably failed to get the lease deed executed in his favour, however, he has no objection if the petitioner offers alternative land within 30 days from today and competent authority considers application of the petitioner along with applications of other candidates before making allotment.
5. Learned counsel for the respondent No.1-corporation submits that if the petitioner offers alternative land within 30 days, application of the petitioner would be considered in accordance with guidelines contemplated in the afore-stated brochure, however, if the petitioner fails to offer alternative land within 30 days, the application of the petitioner would not be considered and respondent No.1-corporation would proceed in accordance with law.
6. In the wake of statements of both sides, the present petition stands disposed of.
7. Pending application(s), if any, also stand(s) disposed of.

(JAGMOHAN BANSAL)
JUDGE

30.10.2023
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>