

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

203

CWP-20004-2020

Date of Decision : 22.08.2023

Jatinder Singh

..... Petitioner

Versus

Bharat Petroleum Corporation Ltd. and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr.Amit Jain, Sr.Advocate with
Mr.Aryaman Thakur, Advocate
for the petitioner.

Mr. Raman Sharma, Advocate
for the respondents.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of Constitution of India is seeking setting aside of order dated 12.02.2020 (Annexure P/9) whereby his candidature has been rejected.

2. The petitioner pursuant to advertisement applied for the allotment of retail outlet. The petitioner applied under Group 1. The application of the petitioner was considered under Group 1 and he was declared as successful bidder. The petitioner was asked to submit documents who submitted documents along with Annexure III B i.e. certificate issued by an advocate confirming ownership of the land. The respondent vide order dated 28.06.2019 rejected application of the petitioner forming an opinion that documents submitted by the petitioner

are not valid for considering the offered land under Group 1.

3. The petitioner was transposed from Group-I to Group-III. The respondent vide letter dated 16.10.2019 informed the petitioner that his application would be considered under Group-3. The petitioner filed fresh application on 21.11.2019. The petitioner was again declared successful bidder on 20.01.2020. The petitioner in compliance to direction of respondent-Corporation submitted requisite documents which included III B certificate issued by an advocate. The respondent-Corporation vide impugned order dated 12.02.2020 rejected application on the ground that certificate of advocate is post date of application.

4. From the perusal of record, it comes out that petitioner has complied with all the requirements and dispute is confined to certificate of advocate confirming ownership of land. The petitioner along with first application filed III B certificate dated 23.02.2019 and fresh certificate was dated 22.01.2020. The petitioner got two certificates with respect to same piece of land. At the time of filling first application as well as second application, the petitioner had offered same piece of land. The first application was accompanied with III B certificate dated 23.02.2019. The said certificate was with respect to the same land which was offered second time, thus, earlier certificate could be considered at the time of second application.

5. Faced with this, Mr. Sharma, Advocate submits that the respondent-Corporation would consider case of the petitioner afresh considering advocate's certificate dated 23.02.2019.

6. Mr. Jain, Advocate does not dispute the aforesaid arrangement.

7. In the wake of statements of learned counsel for the parties, the present petition stands disposed of. This Court is sanguine of the fact that

competent authority would adjudicate application of the petitioner expeditiously and sympathetically.

22.08.2023
anju

(JAGMOHAN BANSAL)
JUDGE

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