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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-19960-2023

Date of Decision:11.09.2023

JAGJIT SINGH

..... Petitioner

Versus

UNION OF INDIA AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Onkar Singh Batalvi, Advocate
for the petitioner.

Mr. Ankur Sharma, Senior Panel Counsel
for respondent No.1- UOI.

Mr. Ashish Sharma, Advocate
for respondent No.2.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of orders/replies of respondent No.1/IOCL dated 21.01.2021 (Annexure P-9) and dated 21.06.2022 (Annexure P-12).

2. The petitioner entered into partnership with respondent No.3- Rekha Rajput. Pursuant to an advertisement, Rekha Rajput applied for the allotment of LPG distributorship. The respondent No.3- applied in its individual capacity. Application was not filed as a partner of a partnership firm. The respondent- Corporation allotted distributorship to Rekha Rajput- respondent No.3 who entered into partnership with the petitioner. The respondent No.3 transferred her share in the firm to the petitioner. The petitioner applied to IOCL to accept re-constitution of the

allottee, however, IOCL has rejected application of the petitioner on the ground that as per their record, it was respondent No.3 who had applied for allotment of LPG distributorship and without consent of respondent No.3, the Corporation cannot accept re-constitution of the allottee.

3. It is pleaded case of the petitioner that there is dispute between the petitioner and respondent No.3 with respect to allotment of distributorship and re-constitution of allottee. A civil dispute is pending between petitioner and respondent No.3. The petitioner and respondent No.3 have lodged FIR against each other. The petitioner is claiming ownership over LPG distributorship on the basis of partnership deed.

4. From the perusal of writ petition and argument of learned counsel for the petitioner, it comes out that a civil dispute is pending between petitioner and respondent No.3 and petitioner wants to change constitution of allottee in the record of respondent No.2 without consent of respondent No.3. These are disputed question of facts which cannot be adjudicated by this Court while exercising writ jurisdiction.

5. In the wake of aforesaid facts and findings, the present petition deserves to be dismissed and accordingly dismissed.

(JAGMOHAN BANSAL)

JUDGE

11.09.2023

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