

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

CWP-28552-2019

Date of Decision:27.07.2023

KIRTI BARMERU

..... Petitioner

Versus

HINDUSTAN PETROLEUM CORPORATION LTD Respondent

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Ms. Tejaswini, Advocate
for the petitioner.

Mr. Raman Sharma, Advocate
for the respondent.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article 226/227 of the Constitution of India is seeking setting aside of communication dated 03.08.2019 whereby candidature of the petitioner has been cancelled.

2. The case of the petitioner is that draw of lots for the allotment of Retail Outlet under 'physical handicapped category' took place on 20.06.2019 without prior intimation to her. The respondent has wrongly, thereafter, cancelled candidature of the petitioner.

3. As per reply, every intimation was going to be sent through email and this fact was mentioned in brochure. Email was sent to petitioner, however, she did not come on the date fixed for draw of lots. Despite her absence on 20.06.2019, she was selected and information was sent to her through email dated 21.06.2019. The petitioner was telephonically informed on her mobile number i.e. 9990440355 on

21.06.2019. By email dated 02.07.2019, she was asked to deposit documents alongwith security within 10 days, however, no response was received, thus, her candidature was cancelled on 03.08.2019.

4. Learned counsel for the petitioner submits that petitioner on account of non-receipt of email(s) could not submit documents, however, petitioner is having all the documents and is ready to comply with requirements of respondent-Corporation. The case of the petitioner may be re-considered sympathetically.

5. Learned counsel for the respondent submits that this Court vide order dated 03.02.2023 passed in CWP No.17270 of 2021 has directed the Corporation to consider case of the petitioner therein. The case of the said petitioner is on final stage.

6. Without commenting upon the merits of the present case and considering the fact that this Court has already directed the respondent to consider case of Subhash Chander i.e. another candidate, this Court directs the respondent Corporation to consider case of the petitioner if at any stage Corporation finds that Subhash Chander is ineligible.

7. Disposed of.

(JAGMOHAN BANSAL)
JUDGE

27.07.2023
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>