

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

CWP-3833-2024

Date of decision: 20.02.2024

Sukhdev Singh

....Petitioner

Versus

State of Punjab and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE ARUN PALLI
HON'BLE MR. JUSTICE VIKRAM AGGARWAL**

Present: Mr. Rakesh Nehra, Senior Advocate, with
Mr. Sauhard Singh, Advocate,
Mr. Saurabh Savara, Advocate, for the petitioner.

ARUN PALLI, J. (Oral)

Learned counsel for the petitioner submits that vide advertisement dated 15.11.2021 (P-1), Punjab Small Industries and Export Corporation (respondent No.2), invited applications for allotment of a petrol pump site at Phase-VIII, Industrial Focal Point, Ludhiana, by way of e-auction. For respondent No.4 was adjudged H1, vide letter of allotment dated 21.07.2022 (P-3), it was allotted the said site, measuring 1640 square yards, for Rs.8,64,28,000/- He submits that the limited grievance that the petitioner has is: per the eligibility clause set out in the terms and conditions for e-auction, the successful bidder was required to obtain a Letter of Intent/License from any of the public/private sector oil companies within a period one year of provisional allotment of the site. Likewise, in terms of clause 8 of the allotment letter (*ibid*), the allottee was obliged to obtain the LOI/License within one year from the issuance of the provisional allotment letter, failing which, the allotted site would be withdrawn/cancelled. And 2% of the bid amount would stand forfeited. It is submitted that even though a period of over a year and a half has gone by since allotment, respondent No.4 has failed to obtain the LOI from any of the recognised oil companies. Thus, he asserts that the very purpose and intent of allotment is apparently frustrated. It is urged that prior to the institution of this petition, the petitioner had even served the respondent authorities with a representation dated 29.12.2023 (P-4), qua his concerns/grievances, but to no avail.

Served with the advance copy of the petition, Mr. Shekhar Verma, learned Additional Advocate General, Punjab, is present in Court. At the outset, he submits that as the competent authority is already in seisin of the concerns/grievances of the petitioner, it would be expedient if this petition is disposed of, at this stage, to enable the authorities to consider and pass necessary orders on his representation (*ibid*), in accordance with law. Further, he submits that before any such orders are passed, all the stakeholders, including the petitioner, shall also be afforded a hearing.

Learned counsel for the petitioner is in agreement with the course suggested by learned State counsel and submits that let this petition be disposed of, in terms of the statement made by him. However, it is urged that the authorities be directed to do the needful within a specified time.

In response, learned State counsel submits that appropriate orders shall be passed within a period of six weeks from today.

The petition is accordingly disposed of, in terms of the statements made by learned counsel for the parties.

This Court is sanguine that the authorities shall look into the matter in the right earnest. And the appropriate orders shall be passed within the time indicated by the learned State counsel.

Needless to assert that this order shall not constitute any expression of opinion on the merits of the case of either party, for, as indicated above, the competent authority shall examine the concerns/grievances of the petitioner, strictly in accordance with law.

(ARUN PALLI)
JUDGE

(VIKRAM AGGARWAL)
JUDGE

20.02.2024
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No