

2024.PHHC.070687



CWP No.11745 of 2024

Date of Decision:20.05.2024

Pawan Kumar**....Petitioner**

vs.

Indian Oil Corporation Limited**....Respondent****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**Present: Mr. Rajiv Saini, Advocate
for the petitionerMr. Ashish Kapoor, Advocate
for the respondent

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 28.09.2023 (Annexure P-18) whereby his candidature has been rejected.

2. The petitioner pursuant to advertisement published by Indian Oil Corporation Limited (for short "Corporation") applied for the allotment of Retail Outlet Dealership. He had applied under Scheduled Caste category. He was selected in the draw of lots, however, Land Evaluation Committee in its report found that land offered by him does not comply with the parameters laid down by NHAI. In view of report of Land Evaluation Committee, he was directed to seek clarification from NHAI regarding suitability of the offered land on or before 12.02.2020. He could not submit



clarification by said date and accordingly the Corporation cancelled his candidature and shifted him from Group 2 to Group 3.

3. Mr. Rajiv Saini, Advocate submits that Retail Outlet has not been allotted to anyone and petitioner has obtained report from jurisdictional Revenue Officer, thus, his claim should be considered.

4. Mr. Ashish Kapoor, Advocate submits that Retail Outlet has already been allotted to another person namely Sanjay son of Nafe Singh and Letter of Intent was issued on 17.06.2022. Claim of the petitioner, at this stage, cannot be considered.

5. I have heard counsel for the parties and perused the paper book with their able assistance.

6. Without commenting upon merits of the case, the petition stands disposed of with a direction to respondent-Corporation to consider claim of the petitioner, if Retail Outlet has not been allotted to any other candidate. If retail outlet stands allotted, the petitioner would have no claim.

(JAGMOHAN BANSAL)
JUDGE

20.05.2024
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:		No