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IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

108

CWP-19099-2024 (O&M).
Date of Decision: 09.08.2024.

LADHOWAL FILLING STATION

.. Petitioner

Versus

UNION OF INDIA AND OTHERS

... Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Vivek Singla, Advocate,
for the petitioner.

Mr. Vibhor Bansal, Senior Panel Counsel,
for respondent No.1/Union of India.

Mr. Raghujeet Madan, Advocate,
for respondent No.2/NHAI.

Ms. Niharika Sharma, AAG, Punjab,
for respondent No.3.

Mr. Ashish Kapoor, Advocate and
Mr. M.S. Rana, Advocate, for respondent No.4.

VINOD S. BHARDWAJ, J. (ORAL)

1. The present writ petition has been filed by the petitioner for seeking issuance of directions to the respondent No.2/National Highways Authority of India, to grant “permission to access” to the petitioner’s petrol

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pump from the National Highway-44 (Section Ludhiana to Jalandhar) from CH-325-650LHS Kilometers.

2. Notice of motion.

3. Mr. Vibhor Bansal, Senior Panel Counsel, for respondent No.1/Union of India; Mr. Raghujeet Madan, Advocate, for respondent No.2/NHAI, who are present in the Court on advance copy of the petition being supplied to them accept notice whereas Ms. Niharika Sharma, AAG, Punjab, accepts notice for respondent No.3/State and Mr. Ashish Kapoor, Advocate and Mr. M.S. Rana, Advocate, accept notice on behalf of respondent No.4/Indian Oil Corporation.

4. Without going into the factual matrix of the case, counsel appearing on behalf of respondent No.2/NHAI has drawn attention of this Court to the guidelines/norms “for grant of permissions for construction of access to Fuel Stations, Wayside amenities, connecting roads, Other Properties, Rest Area Complexes & such other facilities” dated 26.06.2020, and contends that as per Clause 2.3 of the said revised guidelines, if an application in the required format is moved by the competent entity, the same shall be considered in accordance with law.

5. Learned counsel for the petitioner does not have any objection to the same.

6. Accordingly, with the consent of the parties and without commenting upon the merits of the case, the present petition is disposed of with liberty to the petitioner/the competent juristic entity-respondent No.4 to move an appropriate application under the revised guidelines to the

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concerned Project Director of the NHAI who shall take appropriate decision thereupon after taking into consideration the grievances espoused by the petitioner as well as the guidelines notified by the Ministry.

7 Let a decision in this regard be taken in a time bound manner and preferably within a period of 02 months of submission of the application form along with all the requisite documents and statutory fee.

August 09, 2024.
raj arora

(VINOD S. BHARDWAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No