

2025:PHHC:034332



122 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

COCP-186-2024 (O&M)
Decided on:-11.03.2025

Vijay Kumar

....Petitioner..

vs.

Pankaj Jain, Secretary, Ministry of Petroleum & Natural
Gas, Govt. of India, New Delhi

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Naren Pratap Singh, Advocate for the petitioner.

Mr. Raman Sharma, Advocate,
for the applicant-BPCL.

HARKESH MANUJA J. (Oral)

1. By way of present petition, prayer has been made for initiation of contempt proceedings against the respondent for the alleged willful non-compliance of interim order dated 17.03.2023 passed by this Court and the same is extracted hereunder:-

“Counsel inter alia contends that the appellant was the only person eligible for the site in question which was located for Vishwakarma Chowk to Kalanpur within the municipal limits of Yamuna Nagar under category 'C'. It is submitted that his case has been rejected on the ground that the documents produced are not sufficient to establish the title of the land offered by the applicant. Counsel submits that the writ petition was dismissed in limine.

Mr. Raman Sharma, Advocate appearing on behalf of respondent Nos.2 to 4 submits that he be given time to file reply on account of this fact since prima facie, we are of the considered opinion that only a formality as such of furnishing a requisite

requirement has to be done keeping in view that the application was in Group-II whereby the firm offer of land including that from the third party was required and, thus, necessary affidavit etc. was required. The applicant could have been given an opportunity as such to fulfill the criteria before passing the order of rejection. Accordingly, let the reply be filed.

Adjourned to 25.04.2023.

In the meantime, the site in question, if not already allotted, be not allotted to any other party.”

2. Perusal of record shows that the dispute in the aforementioned LPA was between the petitioner and Bharat Petroleum Corporation Ltd., whereas, merely on account of an advertisement been issued by the Indian Oil Corporation on 28.06.2023 for appointment of Retail Outlet Dealership for a location existing within the municipal limits of Yamuna Nagar, the present contempt proceedings have been sought to be initiated against the Secretary, Ministry of Petroleum & Natural Gas, Government of India, while contending that all the oil companies including the Bharat Petroleum Corporation Ltd. as well as Indian Oil Corporation Ltd. fall within the domain of the Ministry of Petroleum & Natural Gas, Govt. of India and thus, willful neglect to the interim direction dated 17.03.2023 passed in LPA-537-2022 was committed by officials of the Ministry of Petroleum & Natural Gas, Government of India, having permitted the Indian Oil Corporation Ltd. to publish advertisement for issuing appointment of Retail Outlet Dealership within the area which was subject matter of LPA.

3. I have heard learned counsel for the parties and gone through the paper book.

4. Once, the Indian Oil Corporation Ltd. is not a party to either the

writ petition or even the LPA wherein, the interim order dated 17.03.2023 was passed by this Court, no inference can be drawn about any willful neglect towards the said order by the Ministry of Petroleum & Natural Gas, Govt. of India, merely for the reasons that one of the oil company i.e. Indian Oil Corporation Ltd. issued certain advertisement inviting applications for appointment of Retail Outlet Dealership within the same vicinity regarding which the writ petition and the subject LPA was filed.

5. In view of the discussions made herein above and finding no merits in the present petition about willful non-compliance of any order passed by this Court, the same is as such, dismissed.

6. Pending application, if any, also stands disposed of.

11.03.2025
sonika

(HARKESH MANUJA)
JUDGE

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