

2025:PHHC:132424



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

CWP-13587-2025 (O&M)
Date of decision :22.07.2025

SOMVIR SINGH

...Petitioner

Versus

HINDUSTAN PETROLEUM CORPORATION LTD.

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Vineet Kumar Jakhar, Advocate
for the petitioner.

Mr. Raman Sharma, Advocate
for the respondent.

HARSH BUNGER, J. [ORAL]

Prayer in the present writ petition, filed under Article 226 of the Constitution of India, is for issuance of a writ in the nature of *certiorari*, for setting aside the letter dated 05.08.2024 (Annexure P-7) and letter dated 18.02.2025 (Annexure P-17); whereby, the candidature of the petitioner for Retail Outlet Dealership has been found ineligible.

2. On 27.09.2023, the petitioner submitted an application (Annexure P-1) seeking allotment of retail Outlet Dealership of respondent-Hindustan Petroleum Corporation Limited and also deposited an amount of Rs.8,000/-. The petitioner is said to have received a letter dated 25.11.2023 (Annexure P-3) intimating him that he has qualified for "Draw of Lots" for selection of retail outlet dealership and he was asked to come present personally for the "Draw of Lots" scheduled for 07.12.2023.

2.2 It is stated that the petitioner was informed vide letter dated 08.12.2023 (Annexure P-4) that he has been declared provisionally selected, whereupon the petitioner deposited a payment of Rs.40,000/- and vide letter dated 03.07.2024 (Annexure P-6), the petitioner was asked to upload certain documents including the documents relating to ownership/lease rights of the land in question, upto 24.07.2024.

2.3 It transpires that the petitioner did not upload the requisite documents in terms of letter dated 03.07.2024 (Annexure P-6), accordingly, vide impugned letter dated 05.08.2024 (Annexure P-7), the respondent-Corporation rejected the candidature of the petitioner, by observing as under :-

“Dear Sir,

- 1. Please refer to your application received by us as Application form No.HPC16958305418651 on the subject.*
- 2. Please also refer to our letter dated 03-Jul-2024 wherein you were advised to submit certain documents/corrected documents.*
- 3. However, we have not received any response and/or required documents from you within the stipulated time.*

Reason :

- 1. Applicant has not submitted affidavit as per Appendix-III from crownors of the land. Instead of Appendix-III applicant has uploaded offered land sketch in the format of Appendix-V.*
- 2. Applicant has uploaded incomplete affidavit in the format Appendix-XA.*
- 4. In view of the above, we regret to inform you that your candidature has been found ineligible.*

5. In case you have any grievance against the rejection of your candidature as mentioned above, you may make your representation by 15-Aug-2024.”

2.4 It appears that the petitioner earlier approached this Court by way of filing **CWP-22657-2024**; however, the same was withdrawn by the petitioner vide order dated 04.12.2024 (Annexure P-13), in order to avail his alternative remedy of filing representation before the Grievance Redressal Committee.

2.5 Thereafter, the petitioner is said to have submitted his representation (Annexure P-14), which has now been dismissed vide letter dated 18.02.2025 (Annexure P-17), the relevant extract of which reads as under :-

“Dear Sir,

We refer to your letter received by us on 20.12.2024 wherein you had requested for opportunity to express your views regarding your application for the subject advertised location. Considering your request, opportunity was provided and a meeting was done at our Panipat Retail Regional Office on 14.02.2025. During the meeting, below mentioned facts were confirmed and agreed by you:

- In response to the email dated 03.07.2025 for rectification documents, completely filled notarized affidavit, Appendix-XA containing details of fixed fee at clause no.19 was not uploaded.*
- In response to the email dated 03.07.2025 for rectification documents, Co-owners affidavits as per Appendix-III in support of ownership/lease rights were not submitted. Instead of required affidavits, offered land sketch in the format Appendix-V was uploaded by you.*

During the meeting, you had further stated that now you have complete set of documents and can submit if given an opportunity. It was also informed that complete ownership

of the offered plot was transferred on your name on 29.11.2024.

Considering the facts, it is noted that as per applicable Dealer Selection Guidelines, notarized affidavits from co-owners in the format Appendix-III and Appendix-XA were not uploaded by you. Moreover, it is also confirmed by you that land ownership is transferred on your name on 29.11.2024 i.e after the date of application. Since the land was jointly owned on the date of application and required documents were not uploaded within stipulated time, your candidature for the subject location cannot be considered at this stage.”

2.6 In the afore-mentioned circumstances, the present writ petition has been filed by the petitioner before this Court.

3. Heard.

4. In the present case, the petitioner applied for retail Outlet Dealership wherein, he was provisionally selected and vide letter dated 03.07.2024 (Annexure P-6), the petitioner was called upon to upload certain documents including documents in support of ownership/lease rights of the land whereupon, the retail outlet was to be established, upto 24.07.2024, the relevant extract of which reads as under :-

“Dear Sir,

Please refer to your application Ref. No.HPC16958305418651 on the subject.

You are requested to upload the following rectified/correct document(s) by 24-Jul-2024. To upload rectified/correct document(s) Click Here or login to <https://www.petrolpumpdealerchayan.In/petrol-2023/> so that your application for award of Retail Outlet dealership at the above location can be processed further.

1. Notarized Affidavit by the applicant as per Appendix-XA/XB (Standard Affidavit), as applicable.

2. Copy of land documents in support of ownership/lease rights

Reason :

- 1. Jamabandi of the offered land is showing multiple co-owners in the offered land. Applicant to submit affidavit as per Appendix III from all the co-owners individually.*
- 2. Applicant to submit affidavit as per appendix XA with all standard clauses and strike off the non applicable clauses by hand and correct details in clause 3 to be provided.*

Please note that your candidature is liable for rejection without any further notice, in case you fail to upload the above stated rectified/correct document(s) within the stipulated time.”

4.1 Evidently, the petitioner did not respond to the letter dated 03.07.2024 (Annexure P-6); consequently, vide impugned letter dated 05.08.2024 (Annexure P-7), the candidature of the petitioner was declared to be 'ineligible' for retail outlet dealership.

4.2 Subsequently, the petitioner submitted a representation to the Grievance Redressal Committee, which has also rejected the claim of the petitioner vide letter dated 18.02.2025 (Annexure P-17).

4.3 Upon perusal of the impugned letters dated 05.08.2024 (Annexure P-7) and 18.02.2025 (Annexure P-17), it is evident that the petitioner had failed to upload the requisite documents in support of the ownership/lease rights in respect of the land over which the retail outlet was to be established, within the stipulated period i.e. upto 24.07.2024.

4.4 Although, in the instant writ petition, in para 6 thereof, it is categorically stated by the petitioner that he was not able to check his mail and did not respond to the letter dated 03.07.2024 (Annexure P-6);

however, in para 10 of the writ petition, the following averment has been made :-

“10. That it is most germane to apprise this Hon’ble Court that on 29.11.2024, the present petitioner became the absolute owner of land i.e. land measuring 2.4 Kanal (1225 Sq. Mts.) Khewat No.502, Khatouni No.535 Killa No.145//17/1 at village Bhwar, Tehsil Gohana, District Sonipat, Haryana. Copy of the partition certificate is attached as Annexure P-10.”

4.5 A perusal of the above extracted para 10 of the writ petition, would show that the petitioner was not possessed with the requisite documents as regards ownership/lease rights in respect of the land on which the retail outlet was to be established, at least upto 24.07.2024, which was the stipulated date in terms of letter dated 03.07.2024 (Annexure P-6).

4.6 Therefore, once the petitioner was not possessed of the requisite documents as regards ownership/lease rights in respect of the land on which the retail outlet was to be established nor any such document was supplied to the respondent within the stipulated time, no fault can be found with the respondent-Corporation, who upon consideration of the matter and upon failure of the petitioner to provide the requisite documents within the stipulated time have held the petitioner to be ineligible vide impugned letters dated 05.08.2024 (Annexure P-7) and 18.02.2025 (Annexure P-17).

5. In view of the above, I find no merit in the instant writ petition and the same is, accordingly, dismissed.

6. All pending applications (if any) shall also stand closed.

July 22, 2025
gurpreet

(HARSH BUNGER)
JUDGE

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