



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

257

LPA-1731-2024 (O&amp;M)

Date of Decision: 22.09.2025

M/S SHAHI PALACE

...Petitioner

Versus

UNION OF INDIA AND ORS

...Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**  
**HON'BLE MR. JUSTICE VIKAS SURI**

Present:- None for the appellant.

Mr. Abhey Pal Singh Gill, Advocate (Amicus Curiae).

Mr. Bharat Bhushan Sharma, Senior Panel Counsel,  
for respondent Nos.1 and 2.Mr. Ashish Kapoor, Advocate, with  
Mr. M.S. Rana, Advocate, for respondent Nos.7 and 8.

Mr. Rahul Rampal, Addl. A.G., Punjab.

Mr. Vaibhav Sehgal, Advocate, for respondent No.9.

Mr. Himanshu Jain, Deputy Commissioner, Ludhiana,  
(through video conferencing).

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**HARSIMRAN SINGH SETHI, J. (ORAL)**

1. In the present appeal, the challenge has been made to the order dated 09.07.2024 passed by the learned Single Judge in CWP-15473-2024, whereby writ petition preferred by the appellant for quashing 'No Objection Certificate' dated 20.06.2024 (Annexure P-6) for commencing a petrol pump retail outlet in favour of respondent Nos.7 and 8 has been dismissed.
2. The present appeal was sought to be withdrawn on 23.10.2024



by the appellant, which request was not allowed by the Coordinate Bench and had appointed Mr. Abhey Pal Singh Gill, Advocate, as Amicus Curiae, to assist the Court.

3. The question which was raised in the present appeal was whether the petrol station situated at Khanna Road, Samrala, District Ludhiana, should be allowed to operate at the said place and whether the permissions granted by the authorities are within the parameters or the same is likely to cause prejudice to the Kindergarten School as well as to a marriage palace situated next to the proposed petrol station.

4. On the last date of hearing, following order was passed:-

“Mr. Himanshu Jain, Deputy Commissioner, Ludhiana has joined the proceedings through virtual mode and submits that the issue in question was not in his knowledge and he undertakes that he himself will look into the matter as to under which circumstances, No Objection certificates were given by the different departments for running a Petrol Pump retail outlet at the present site and whether the No Objection certificates issued by the then Deputy Commissioner were contrary to the policy issued by the State of Punjab as well as the actual facts present at site i.e. as to whether running of a Petrol Pump at the relevant site will be in the interest of the vicinity wherein, the adjoining property is a Kindergarten school and next



to the said Petrol Pump outlet, there is a marriage palace which has a kitchen and other inflammable objects.

The Deputy Commissioner, Ludhiana submits that he will inform this Court qua the said facts, as noticed hereinbefore, by the next Monday.

To await the opinion of the Deputy Commissioner, Ludhiana, adjourned to 22.09.2025.”

5. In pursuance to the said order, the Deputy Commissioner, Ludhiana, has filed a report dated 22.09.2025, wherein he has stated that he himself checked the spot and had made certain observations, which have been depicted in para 7 of the said report. The Deputy Commissioner, Ludhiana, has also joined the proceedings through virtual mode and submits that *prima facie*, he is convinced that the petrol station can be allowed to run from the said place keeping in view the parameters fixed by the various authorities, but he will again look into it before granting the actual permission to operate the said petrol pump, which decision will be taken open mindedly. The report of the Deputy Commissioner, Ludhiana, is taken on record.

6. Keeping in view the assurance given by the Deputy Commissioner, Ludhiana, who is a responsible authority so as to take care of the city being handled by the such Deputy Commissioner, the present appeal is disposed with the observation that the Deputy Commissioner, Ludhiana, himself will look into all the required formalities needed to be completed



and parameters to be fulfilled by the petrol station before the same is allowed to operate at the site in question.

- 7. The factum that the Kindergarten School is next to the proposed petrol pump, it should be ensured that the lives of the tiny tots does not suffer any prejudice or danger at the hand of such petrol pump. Further, the factum that the marriage palace is also operating within the vicinity of the said proposed petrol station, the guests visiting the said marriage palace also do not suffer any threat to their lives or property in any manner.
- 8. The Deputy Commissioner, Ludhiana, be also requested to issue necessary instructions qua use of fire crackers near petrol pump.
- 9. The present appeal is disposed of with aforesaid observations.
- 10. Pending applications, if any, also stand disposed of.

( HARSIMRAN SINGH SETHI )  
JUDGE

( VIKAS SURI )  
JUDGE

September 22, 2025  
*harish*

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| Whether speaking/reasoned | Yes |
| Whether reportable        | No  |