



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

CWP-19329-2025 (O&M)
Date of decision :11.08.2025

PETROLEUM PUMP DEALERS ASSOCIATION, LUDHIANA
...Petitioner

Versus

STATE OF PUNJAB AND OTHERS
...Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Vaibhav Sehgal, Advocate
for the petitioner.

Mr. Nirmal Singh Diwana, Advocate
For respondent No. 1 to 4

Mr. Raman Sharma, Advocate
Mr. Amarsh Dudeja, Advocate
and Mr. Arnav Sharma, Advocate
for respondents No.7.

Ms. Deepak Balyan, Advocate
and Mr. Kunal Jindia, Advocate
for respondent No. 5 and 6.

HARSH BUNGER, J. [ORAL]

Prayer in the present writ petition filed under Articles 226/227 of the Constitution of India is, *inter-alia*, for issuance of a writ in the nature of *certiorari* for setting aside the No Objection Certificate (NOC) dated 07.08.2024 (Annexure P-5) and also the Final No Objection Certificate (NOC) dated 02.06.2025 (Annexure P-6) issued by Municipal Corporation, Ludhiana. A further prayer has been made for directing respondent No. 2 to take appropriate legal action on representation dated 17.06.2025 (Annexure P-9)

2. Briefly, respondent No.7–Bharat Petroleum Corporation Limited (in short “BPCL”) issued an advertisement dated 28.06.2023, inviting applications for allotment of MS/HSD retail outlet dealership at a location (anywhere in Ludhiana), subject to the land being on 60 feet wide road.

2.1 It transpires that respondents No. 5 and 6 applied for the allotment of dealership and a letter of Intent dated 06.06.2024 (Annexure P-1) is stated to have been issued to them. It is stated that respondents No. 5 and 6 applied for No Objection Certificate (NOC) before Deputy Commissioner, Ludhiana. It is alleged that Tehsildar, Ludhiana in connivance with the respondents No. 5 and 6 gave false report dated 07.08.2024 (Annexure P-4) to the effect that the proposed site of respondents No. 5 and 6 is abutting road, which is 71 ½ feet wide and also that there is no drain at the proposed site.

2.2 It is stated that based upon the aforesaid false report dated 07.08.2024 (Annexure P-4), Municipal Corporation, Ludhiana issued No Objection Certificate (NOC) dated 07.08.2024 (Annexure P-5) and thereafter, No Objection Certificate (NOC) dated 02.06.2025 (Annexure P-6) was issued by Deputy Commissioner, Ludhiana under Rule 144 of the Petroleum Rules, 2002.

2.3 The petitioner-Association is stated to have issued a notice dated 17.06.2025 (Annexure P-9) to the Deputy Commissioner, Ludhiana; with a request to cancel the No Objection Certificate (NOC), which was granted on basis of fraudulent documents. It is the case of the petitioner-Association that the proposed site of respondents No. 5 and 6 is on 16.5 feet wide road whereas the minimum requirement is that of 60 feet wide road

and also that the frontage of the proposed site was only 24.38 Meters, whereas the requirement is of minimum 30 sq. meters frontage.

2.4 In the aforementioned circumstances, the present writ petition has been filed before this court for seeking relief(s) as noticed above.

3. Heard.

4. During the course of hearing, it is not disputed by learned counsel for the petitioner that Municipal Corporation, Ludhiana has already issued a letter dated 23.06.2025 (Annexure P-10), the relevant extract of which read as under:-

*“Office Zone-C, Municipal Corporation, Ludhiana
To,*

*Paramjit Kaur, wife of Harjinder Singh,
Resident of House No.05, Sector No.1,
Guru GyanVihar,
JawaddiKhurd, Basant Avenue, Ludhiana.*

Number 153/ATP-C/D

Dated 23/06/2025

*Subject: Complaint concerning the petrol pump on Kanganwal
Road from the direction of Village Dhandari Kalan, Giaspura.*

Regarding the above-mentioned matter, it is hereby stated that a complaint has been received in this office concerning the petrol pump mentioned under the subject, alleging that the N.O.C. for the said petrol pump has been issued in violation of the rules. Based on the said complaint, this office is conducting a factual inquiry. Through this letter, you are hereby directed to immediately halt all construction work at the petrol pump site until the related inquiry is completed.

This should be treated as most urgent.”

5. A perusal of the above extracted order dated 23.06.2025 (Annexure P-10), would show that Municipal Corporation, Ludhiana is already inquiring into the complaints as regards issuance of NOC in

violation of the rules and respondents No. 5 and 6 have already been directed to halt all construction work at the site until the inquiry is completed.

6. In view of the above, I am of the considered view that the instant writ petition is pre-mature at this stage and the same is dismissed.

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

August 11, 2025
gurpreet/Himani

(HARSH BUNGER)
JUDGE

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