



CWP-31374-2025 (O&M)

-1-

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

102

CWP-31374-2025 (O&M)

Date of decision: 29.01.2026

Jaspal Singh and others

....Petitioners

Vs.

Union of India and others

....Respondents

CORAM : HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Adesh Amritpal Singh, Advocate
for the petitioners.

Mr. Ashish Kapoor, Advocate and
Mr. M.S. Rana, Advocate
for respondent No.3.

HARSH BUNGER J. (Oral)**CM-1200-CWP-2026:**

Prayer in the present application is for placing on record documents as Annexures P-9 to P-12.

For the reasons mentioned in the application, the same is allowed and documents as Annexures P-9 to P-12 are taken on record, subject to all just exceptions.

CWP-31374-2025:

Petition herein is, *inter alia*, seeking a writ in the nature of Certiorari, for quashing the action of the respondents in permitting demolition of Trauma Centre and further sanctioning construction of a retail fuel outlet at the site in question.



1.1 A further prayer has been made for issuance of a writ in the nature of Mandamus, for directing the respondents to restore the Trauma Centre at the site.

1.2 Another prayer has been made for directing the respondents to ensure that the access of the petitioners to their agricultural land is free from any obstruction on account of construction of retail fuel outlet at the site and to further ensure that not more than 1195 sq. mtrs. area is utilized for the retail fuel outlet.

1.3 It is still further prayed that an appropriate direction be issued to the Deputy Commissioner and other statutory authorities to consider the objections of the petitioners regarding grant of 'No Objection Certificate' to the Indian Oil Corporation Limited before passing any final orders.

2. Briefly, respondent No.2 – National Highway Authority of India, executed a lease agreement dated 11.02.2022 with respondent No.3 – Indian Oil Corporation Limited, for development of a retail fuel outlet on area measuring 1195 sq. mtrs. at the designated site.

3. It is averred that as per the contract, the respondent No.2 – National Highway Authority of India, was required to develop the site and operationalize the facilities within a stipulated period; however, the same has not been done. It is further averred that on/or about 07.07.2025 an existing Trauma Centre at the site was demolished, so as to clear the site for the construction of proposed retail fuel outlet.

4. It transpires that, respondent No.3 – Indian Oil Corporation Limited, submitted an application to the learned Deputy Commissioner,

**CWP-31374-2025 (O&M)****-3-**

Faridkot, seeking issuance of 'No Objection Certificate' for the proposed retail fuel outlet.

5. The case of the petitioners is that the proposed retail fuel outlet is proposed to be constructed on area measuring 4200 sq. mtrs. instead of 1195 sq. mtrs. area regarding which a contract is executed between respondent No.2 (NHAI) and respondent No.3 (IOCL). Accordingly, it is submitted that unauthorized expansion and construction of the retail outlet would result in blocking the public passage leading to the adjoining petitioner's agricultural land, thereof, causing a grave hardship, economic loss and deprivation of livelihood to the petitioners, which is violation of Fundamental Rights of the petitioners guaranteed under Articles 14 and 21 of the Constitution of India.

6. In view of the aforementioned circumstances, present petition has been filed before this Court, for seeking relief(s) as noted hereinabove.

7. Heard.

8. During the course of hearing of the instant petition, a specific query was raised to the learned counsel appearing for the petitioners, to show from any document/material regarding existence of a public passage/revenue *rasta* at the site, which is alleged to have been blocked/obstructed with the construction of retail fuel outlet; however, learned counsel for the petitioners has failed to refer to any such material/document.

9. Be that as it may, from a perusal of the paperbook, it reveals that respondent No.3 (IOCL) had applied to learned Deputy Commissioner,

Faridkot, for issuance of ‘no objection certificate’ to enable them to construct the proposed retail fuel outlet and the petitioners are also stated to have submitted their objections.

10. In my considered view, Deputy Commissioner is competent to deal with the objections (if any), submitted as regards the grant of ‘No Objection Certificate’ for installation of the retail fuel outlet in terms of Rule 144 of the Petroleum Rules, 2002.

11. Since, the petitioners have already submitted their objections before the concerned/competent authority, I see no compelling reason which may warrant interference by this Court in the present proceedings at this stage; accordingly, instant writ petition is dismissed; however, leaving it open to the petitioners to pursue their objections before the concerned/competent authority, in accordance with law.

12. All the pending application(s), if any, shall also stand closed.

29.01.2026

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(HARSH BUNGER)
JUDGE

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