

LPA-631-2022 (O&M)

2025:PHHC:089418-DB



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

**LPA-631-2022 (O&M)**

**Date of Decision: July 17, 2025**

**Rajender Singh**

..... Appellant

**Versus**

**Haryana Shahri Vikas Pradhikaran and others**

..... Respondents

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL  
HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA**

Present: Mr. U.K. Agnihotri, Advocate for the appellant.

Mr. Deepak Balyan, Advocate for respondents No. 1 to 4.

Mr. Raman Sharma, Advocate for respondents No. 5 and 6.

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**LISA GILL, J.**

1. Prayer in this appeal is for setting aside order dated 17.01.2022 whereby CWP-7052-2021 filed by present appellant (writ petitioner) was dismissed.

2. Brief facts necessary for adjudication of the matter are that appellant (writ petitioner) filed CWP-7052-2021 for setting aside order/communication dated 05.01.2020 whereby candidature of appellant has been declared ineligible for retail outlet dealership at Sector 16/17, Hisar within the Municipal limits under Scheduled Caste category advertised on 24.11.2018, on the premise that appellant did not offer any land nor submitted requisite documents qua the land.

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It is submitted that petitioner, a senior citizen belonging to SC category, applied for retail outlet dealership under Corporate Fund Scheme (CFS site) pursuant to public notice dated 24.11.2018 issued by respondent No. 5 i.e. Bharat Petroleum Corporation Limited (for short – ‘BPCL’). It is submitted that as per clause 4(v) of Brochure, applicants would be classified into three groups on the basis of land offered or not by them in the application form. Clause 4(v) of Brochure reads as under:-

#### **“(v) Land (Applicable to all categories):**

The applicants would be classified into three groups as mentioned below based on the land offered or land not offered by them in the application form:-

Group 1: Applicants having suitable piece of land in the advertised location/area either by way of ownership/long term lease for a period of minimum 19 years 11 months or as advertised by the OMC.

Group 2: Applicants having Firm Offer for a suitable piece of land for purchase or long term lease for a period of minimum 19 years 11 months or as advertised by the OMC.

Group 3: Applicants who have not offered land in the application.

Applications under Group 3 would be processed/advised to offer land only in case no eligible applicant is found or no applicant get selected under Group 1 & 2.

In case land offered by all the applicants under Group 1 & Group 2 is found not suitable/not meeting requirements, then these applicant/s under Group 1 & Group 2 along with applicants under Group 3 (who did not offer land along with application) would be advised by the OMCs to provide suitable land in the advertised location/stretch, within a period of 3 months from the date of issuance of intimation letter to them through SMS/e-mail.

In case the applicant fails to provide suitable land within the

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prescribed period or the land provided is found not meeting the laid down criteria, the application would be rejected.”

3. Appellant (writ petitioner) applied under Group 3 i.e. Landless category. Respondent No. 6 vide communication dated 16.01.2019 called upon writ petitioner to offer suitable land in the advertised location within three months. Subsequent to communication dated 16.01.2019, appellant approached respondent No. 3 i.e. Administrator, Haryana Shehri Vikas Pradhikaran, Hisar (for short – ‘HSVP’) and respondent No. 4 i.e. Estate Officer, HSVP, Hisar on 27.03.2019 with a request to make available requisite land for setting up of petrol pump by BPCL. Respondent No. 3 directed respondent No. 4 to take necessary action in terms of policy guidelines of HSVP.

4. Learned counsel for appellant points out that even prior to issuance of advertisement (Annexure P9), site at Sector 17, Hisar had been recommended to be allotted to ESSAR Oil Company and site at Sector 24 to BPCL respectively. Appellant informed respondent No. 6 regarding his request to HSVP Hisar, which was under consideration as per direction issued by Administrator, HSVP to Estate Officer, HSVP. Reference is made to e-mail dated 05.08.2019 Annexure P-9, from Head of Territory Office, BPCL informing the appellant that he is the only eligible candidate of retail outlet dealership, thus there was no requirement of draw of lots. Another e-mail of even date was issued to appellant by respondent No. 6 declaring him to be the successful candidate and directing him to deposit sum of Rs.30,000/- towards initial security. He was called upon to submit relevant documents. It is submitted that respondent No. 6 was fully aware that request of petitioner for allotment of petrol pump site at Sector 16/17 was under consideration with Estate Officer, HSVP. Sum of

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Rs.30,000/- was deposited by appellant on 14.08.2019. Despite reminders, necessary action as per policy guidelines of HSVP was not taken by Estate Officer, Hisar. In the meanwhile, respondent No. 6 vide impugned order/communication dated 05.01.2020 informed appellant that his candidature was not eligible for RO dealership as has been mentioned in the foregoing paras. Legal notice dated 24.01.2020 was served by appellant upon respondents No. 5 and 6 to reconsider their decision dated 05.01.2020 and to take up the matter with HSVP for setting up of petrol pump site at Sector 16/17, Hisar under SC category. Learned counsel for appellant submits that aggrieved of action of respondents No. 1 to 4 in not considering his case as per prevailing policy and guidelines and not allotting land for setting up RO dealership at Sector 16/17, Hisar despite land being available and passing an illegal, arbitrary and perverse order dated 05.01.2020, CWP-7052-2021 was filed.

5. Learned Single Bench on considering the facts and circumstances, found no merit in the arguments as raised. Writ petition was, thus, dismissed vide order dated 17.01.2022.

6. Learned counsel for appellant has reiterated the arguments as above and submits that learned Single Bench has grossly erred in law and on facts in dismissing CWP-7052-2021, filed by appellant. It is, thus, prayed that order dated 17.01.2022 be set aside and writ petition be allowed as prayed for.

7. Learned counsel for respondent – BPCL submits that once necessary conditions, as contained in Brochure dated 24.11.2018 were not fulfilled, with appellant not offering necessary land despite time being afforded to him, his candidature necessarily had to be declared ineligible. It is not for BPCL to pursue the matter regarding allotment of land with HSVP.

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8. Learned counsel for HSVP points out that as per policy guidelines, allotment of petrol pump sites has to be in favour of only oil Companies and not to individual persons. Merely because letter dated 05.01.2020 was issued, it does not automatically entitle him for allotment of land in question. It was, thus, prayed that this appeal be dismissed.

9. We heard learned counsel for parties and have perused the file with their able assistance.

10. Issuance of communication dated 16.01.2019 whereby appellant was called upon to offer suitable land in the advertised location/stretch within a period of three months is a matter of record. It is further a matter of record that appellant could not offer said land for subject outlet dealership within the prescribed period, leading to rejection of his candidature on 05.01.2020. Argument raised by learned counsel for appellant that it was incumbent upon BPCL to pursue the question of allotment of site is clearly devoid of any merit on the face of it and hence rejected. There can be no obligation upon BPCL to pursue the matter regarding allotment of land with HSVP. Similarly, by virtue of communication dated 06.01.2019 being issued to appellant, HSVP cannot be under any obligation to allot the site in question, de hors their Policy. Learned Single Bench in the factual matrix has correctly held as under:-

“ Primarily, the petitioner is aggrieved on account of cancellation of his LOI by BPCL vide communication dated 05.01.2020. Thus, cause of action for filing this writ petition has arisen only against BPCL. In case any demands have been raised before HSVP (successor of HUDA), the said demands would, if at all, furnish a separate causes of action for which a separate writ petition could be filed. Two separate and distinct cause of action can not be joined in one writ petition. Thus, no relief can be granted to

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the petitioner so far as HSVP is concerned. Regarding BPCL, the submission is that vide another decision dated 14.11.2013 the Interview Committee has recommended allotment of site in Sector 24, Hisar in its favour and, thus, a direction may be issued to consider the petitioner against the said site.

There is nothing on record to show that the site in Sector 24, Hisar has been advertised. In the absence of any advertisement no direction can be issued as is being prayed for.”

11. Furthermore, in respect to prayer for relief as addressed for directing consideration of its case against site allegedly allotted to appellant in Sector 24, Hisar has been correctly considered and dealt with.

12. Learned counsel for appellant is unable to point out any illegality, infirmity or irregularity in impugned order dated 17.01.2022 which calls for interference.

13. No other argument has been addressed.

14. Appeal being devoid of any merit is, thus, dismissed.

15. Pending application(s), if any, shall stand(s) disposed of, accordingly.

**(LISA GILL)**  
**JUDGE**

**(MEENAKSHI I. MEHTA)**  
**JUDGE**

**July 17, 2025**

Rts

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