

**IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL**

ON THE 28TH DAY OF MAY, 2021

BEFORE:

HON'BLE SHRI JUSTICE MANOJ KUMAR TIWARI

Writ Petition (M/S) No. 637 of 2018

BETWEEN:

Bharat Mahajan

...Petitioner

(By Mr. Vikas Bahuguna, Advocate)

AND:

Hindustan Petroleum Corporation
Ltd. & another

...Respondents

(Mr. Shobhit Saharia, Advocate)

JUDGMENT

1. Petitioner applied for distributorship for LPG pursuant to an advertisement issued by Oil Marketing Companies on 25.12.2018.

2. Petitioner's application was rejected by Deputy General Manager, Loni LPG Regional Office, Hindustan Petroleum Corporation Ltd. vide order dated 16.02.2018. Operative portion of the said order, impugned in the writ petition, is reproduced below: -

"Please refer to you online Application Reference Number HPC 12109105616022017 for award of above-mentioned LPG Distributorship.

We regret to inform you that upon field verification of the information submitted by you in your application mentioned above, the following variance was observed.

- 1) The site offered by you for showroom does not fall in advertised area & you have also failed to provide suitable alternative land for showroom.

In view of the above, your candidature is rejected and the amount of Rs. 40,000/- (Rs. Forty Thousand Only) deposited with the Corporation stands forfeited."

3. This writ petition was filed in the month of March, 2018 and notice was issued to both the respondents. More than three years have gone by since filing of the writ petition. This Court can take judicial notice of the fact that the distributorship, for which advertisement was issued, must have been allotted to some other applicant, who is not before this Court. Grant of dealership to such other applicant is not under challenge in this writ petition

4. Thus, the relief, as claimed in the writ petition, does not survive. Accordingly, writ petition is dismissed. No order as to costs.

(MANOJ KUMAR TIWARI, J.)