

(2023) 04 UK CK 0055

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 247 Of 2022

Praveen

APPELLANT

Vs

Indian Oil Corporation & Others

RESPONDENT

Date of Decision : 19-04-2023

Acts Referred:

Citation : (2023) 04 UK CK 0055

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : Davesb Bishnoi, V.K. Kohli, Kanti Ram Sharma

Final Decision : Dismissed

Judgement

Manoj Kumar Tiwari, J

1. Heard learned counsel for the parties.
2. Petitioner, along with 16 candidates, applied for allotment as Rural Retail Dealer. Allotment was made through draw of lots in which respondent no. 4 was successful. Petitioner has now challenged allotment of Rural Retail Outlet, made in favour of respondent no. 4, on various grounds.
3. A counter affidavit has been filed on behalf of Mr. Tribhuwan Pandey, Chief Manager (Retail Sales), Indian Oil Corporation Ltd, Dehradun. In the counter affidavit, it is stated that challenging the self-same allotment in favour of respondent no. 4, petitioner's father-in-law filed Writ Petition (M/S) No. 527 of 2021, which was dismissed. It is further stated that one Mr. Dheeraj Pal, who was one of the candidate in the selection for the same Rural Retail Outlet, also filed Writ Petition (M/S) No. 332 of 2020 raising similar issues, which was dismissed by this Court, by a detailed judgment dated 22.07.2021.
4. Mr. V.K. Kohli, learned Senior Counsel appearing for respondent nos. 1 & 2 submits that the issue raised by petitioner in the present writ petition has been decided by this Court in Writ Petition (M/S) No. 332 of 2020, filed by Mr. Dheeraj

Pal. Thus, he submits that present writ petition deserves to be decided in terms of the said judgment.

5. From perusal of paragraph nos. 3, 4, 6 and 7 of the writ petition, it is revealed that issues raised by petitioner are similar to those raised in Writ Petition (M/S) No. 332 of 2020. In paragraph nos. 5 and 8, petitioner has referred to the representation made by her father-in-law. In the counter affidavit, it is mentioned that writ petition filed by her father-in-law has been dismissed. It is thus apparent that petitioner was aware about earlier writ petitions filed at her behest and after their dismissal, she has filed this writ petition.

6. Even otherwise also, the issues raised by petitioner are decided in judgment rendered in Writ Petition (M/S) No. 332 of 2020.

7. In such view of the matter, there is no scope for interference in the matter.

8. Accordingly, writ petition is dismissed.