

Sunil Kumar Vs. Union of India & Ors.

CWP No. 1457 of 2024

09.04.2024 Present: Mr. Rakesh Chauhan and Mr. Vijay Panchta, Advocates, for the petitioner.

Mr. Nand Lal Thakur, Senior Panel Counsel, for respondent No. 1.

Mr. Anup Rattan, Advocate General, with Mr. Rajan Kahol, Mr. Vishal Panwar & Mr. B.C Verma, Additional Advocate Generals and Mr. Ravi Chauhan, Deputy Advocate General, for respondents/ State.

Ms. Farhana Khan, Advocate, for respondent No. 4.

Mr. Sunil Mohan Goel, Advocate, for respondent No. 6.

Pleadings in the case at hand are complete, but since learned Senior counsel, who has to argue on behalf of respondent No. 4, is not present on account of personal difficulty, prayer has been made on his behalf for an adjournment. Prayer allowed as not opposed.

However, having taken note of the fact that respondent No. 6 has constructed his petrol pump, after having obtained necessary permission and approval from the competent authority, coupled with the fact that he has already ordered for supply of petrol, as is evident from invoice dated 29.02.2024 made available during the proceedings of the case, this court deems it fit to modify order dated 13.03.2024 to the extent that though supply to the petrol pump set up by respondent No. 6 shall be made by the company concerned, but

allotment of petrol pump to respondent No. 6 shall be subject to the outcome of the petition.

In the meantime, learned counsel representing respondent No. 4 may also explore the possibility of providing common access through a service road of 7.0 metre width as envisaged under Clause 4.6.3 of guidelines for access, location and lay out of road side fuel station at service station circulated by Indian Road Congress.

List on 06.05.2024.

April 9, 2024
(*Sunil*)

(Sandeep Sharma)
Judge