

Court No. - 40

Case :- WRIT - C No. - 30651 of 2023

Petitioner :- M/S Jagdamba Filling Station And Another

Respondent :- Bharat Petroleum Corporation Limited And 3 Others

Counsel for Petitioner :- Siddhartha Srivastava

Counsel for Respondent :- Komal Mehrotra, Anand Tiwari

Hon'ble Mahesh Chandra Tripathi, J.

Hon'ble Prashant Kumar, J.

1. Heard learned counsel for the petitioners and Sri Anand Tiwari, learned counsel for Bharat Petroleum Corporation Limited.

2. The present writ petition is preferred inter alia with the following relief:

"i. A writ order or direction in the nature of certiorari quashing the impugned order dated 26.05.2023 (Annexure No.10).

ii. A writ order or direction in the nature of mandamus commanding the respondents to restore the retail outlet of petitioner."

3. Sri Anand Tiwari, learned counsel for Bharat Petroleum Corporation Limited states that against the impugned order, the petitioners have efficacious remedy to file an appeal. He submits that once the efficacious remedy is available to the petitioners, there is no reason or occasion to bypass statutory forum.

4. Considering the facts and circumstances of the case, without advertent on the merits of the case, this writ petition is **disposed of** with a direction that in case petitioners prefer an appeal within ten days from today, the same would be considered on merit.

Order Date :- 2.12.2023

NLY