

Court No. - 40

Case :- WRIT - C No. - 38561 of 2023

Petitioner :- M/S Sonmati Indane Gramin Vitrak Vill.

Respondent :- Indian Oil Corporation And Another

Counsel for Petitioner :- Shachindra Kumar Mishra

Counsel for Respondent :- Pramod Kumar Rai

Hon'ble Mahesh Chandra Tripathi,J.

Hon'ble Surendra Singh-I,J.

1. Heard Sri Shachindra Kumar Mishra, learned counsel for the petitioner and Sri Pramod Kumar Rai, learned counsel for the respondents-Indian Oil Corporation.
2. The present petition is preferred assailing the validity of the impugned order dated 20.09.2023 passed by the Indian Oil Corporation imposing a penalty of Rs. 3,42,770.45/-.
3. Sri P.K.Rai, learned counsel for the Corporation raised an objection against the order impugned. The petitioner has got efficacious remedy under 3.11 of the Marketing Discipline Guidelines, 2022 for LPG Distributorship w.e.f. 1st May, 2022. He submits that once the petitioner has efficacious remedy, there is no reason or occasion to bypass the alternative forum.
4. Considering the facts and circumstances, we are not inclined to entertain the writ petition on the ground of efficacious remedy.
5. In the interest of justice, in case the petitioner prefers an appeal before the appellate authority within a week's time, we hope and trust that the same shall be considered on merits.
6. With the aforesaid directions, the writ petition is disposed of.

Order Date :- 7.12.2023

Pratima