

**IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA & THE STATE OF ANDHRA PRADESH**

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WRIT PETITION No.26652 of 2015

BETWEEN

M/s. Golla Chenchiah and another.

... PETITIONERS

AND

Indian Oil Corporation Limited, Rep. by its Divisional Manager, Divisional Office, Vijayawada and others.

...RESPONDENTS

DATE OF JUDGMENT PRONOUNCED: 31.08.2015

THE HON'BLE SRI JUSTICE VILAS V. AFZULPURKAR

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| 1. | Whether Reporters of Local newspapers may be allowed to see the Judgments? | No |
| 2. | Whether the copies of judgment may be marked to Law Reporters/Journals? | No |
| 3. | Whether Their Ladyship/Lordship wish to see the fair copy of the Judgment? | No |

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ORDER:

Heard learned counsel for the petitioner and learned standing counsel for the respondent corporation.

2. Petitioners question the order passed by the respondent corporation dated 25.06.2015 requiring the petitioners to submit details of reconstituted firm for the purpose of continuing the supplies to the petitioners' petroleum outlet.

3. The impugned order also states that the existing supplies will be continued up to 31.08.2015 within which time the petitioners have to submit the details of the reconstituted firm.

4. The facts of the case show that one of the partners of the partnership firm died and the legal heirs of that partner were not coming forward for reconstitution. Hence, petitioners filed O.S.No.30 of 2015 before the Vacation Civil Judge, Ongole seeking specific performance and the said suit is pending. Petitioners also made two representations to the respondent corporation dated 15.07.2015 and 23.07.2015 requesting the respondent corporation to continue the supplies without restriction beyond to 31.08.2015 so that, in the meanwhile, the dispute as to reconstitution can be sorted out. The said two representations are stated to be pending.

5. Learned standing counsel states, on instructions, that the partnership firm of the petitioners has dissolved on account of the death of one of the partners and it is required to be reconstituted and that unless the petitioners submit appropriate documents, the continuation of supplies to the petitioners cannot be made. However, the petitioners were granted time till 31.08.2015.

6. Learned counsel for the petitioners states that the issue will be resolved at the earliest and appropriate documents will be filed before the respondent corporation.

7. Hence, I deem it appropriate to direct the respondent corporation to consider the aforesaid representations of the petitioners and take an appropriate decision for continuation of supplies to the petitioners, preferably, within a period of four (4) weeks from the date of receipt of a copy of this order. Pending consideration and passing of appropriate order by the respondent corporation, as above, the existing supplies to the petitioner shall be continued.

Petitioners are also liberty to take appropriate steps for resolution of the dispute and submit necessary documents before the respondent corporation in the meanwhile.

The writ petition is disposed of. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

VILAS V. AFZULPURKAR, J

August 31, 2015

Note: Furnish C.C. of the order by 02.09.2015.

(B/o) DSK