

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**Civil Revision No.6195 of 2015 (O&M)
Date of Decision: September 19, 2015**

M/s Chiranji Lal Sardha Ram

.... Petitioner

vs.

Indian Oil Corporation Ltd. and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. M.S. Kathuria, Advocate for
Mr. Rakesh Nehra, Advocate for the petitioner.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment?*
- 2. To be referred to the Reporters or not?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh J.(Oral)

Impugned in the present revision petition is the order dated 11.06.2015 passed by learned Civil Judge (Jr. Divn.), Narwana, whereby the application of the present petitioner under Order XXXIX, Rule 1 and 2 read with Section 151 CPC was dismissed. Also challenged is the order dated 01.08.2015 passed by learned Addl. District Judge, Jind, whereby the appeal filed by the present petitioner was also dismissed.

Suffice to say that the plaintiff has filed a suit for declaration to the effect that the show cause notice issued to him as to why his truck tanker be not blacklisted is illegal. The plaintiff also seeks to restrain the defendants from stopping the supply of HSD and MS (OIL) through the said truck tanker. Before the lower court, an application for interim relief was moved. The lower court

dismissed the application on the ground that under Section 56 of the Petroleum and Natural Gas Regulatory Board Act, 2006 (in short 'the Act'), Civil Court has no jurisdiction to entertain any such matter. The lower court also observed that the operation of the tanker has already been suspended. It was further noticed that under the agreement between the parties, only Delhi court has jurisdiction to entertain any dispute between the parties. The said order was affirmed in appeal.

I am of the view that there is nothing to dispute the observations of the lower court as affirmed in appeal. The agreement is not denied vide which the dispute was to be tried by the Delhi Court only and the Board in this regard has already been constituted under Section 56 of the Act for trying such matters which provides equally efficacious remedy to the plaintiff to approach the competent Forum.

As such, there is no illegality or infirmity in the impugned order.

Hence, the present revision petition stands dismissed.

September 19, 2015
sarita

(KULDIP SINGH)
JUDGE