

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3431 of 2014

Arvind Kumar Sharma, son of Late Sudhakar Sharma, resident of Village- Supauli,
P.S.- Pachrukhi, District- Siwan, Proprietor of M/S National Highway Service
Station, Mohammed Pur Chowk, District- Gopalganj

.... Petitioner

Versus

1. Indian Oil Corporation, through its Chairman Corporate Office, 3079/3 Tito Marg, Sadik Nagar, New Delhi- 1000049
2. The Executive Director, (Retail Sales), Indian Oil Corporation Ltd., G-9, Ali Yavar Jung Marg, Bandra East Mumbai- 400051
3. The Chief Divisional Manager/General Manager Indian Oil Corporation Ltd. Bihar State Office at Lok Nayak Bhawan, Dak Banglow Road, Patna- 800001
4. Senior Divisional Sales Manager, Muzaffarpur Divisional Office, Indian Oil Corporation, Krishna Complex, Akharaghat Road, Muzaffarpur- 842001

.... Respondents

Appearance :

For the Petitioner : Mr. Sanjay Singh,
Mr. Srilam Krishna,
Mr. Anshuman Singh, Advocates
For the Respondents: Mr. Anil Kumar Sinha,
Mr. Amlesh Kumar Verma,
Mr. Ankit Katriar,
Mr. Abhimanyu Deo, Advocates

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 26-02-2016

The present writ petition has been filed for quashing of order dated 08.03.2013 whereby the petitioner's dealership has been terminated on irregularities namely positive stock variation of 1125 litres of MS and positive stock variation of 6511 litres in HSD both being beyond permissible limit.

2. At the very outset, learned counsel for the petitioner states that an application for review of the appellate order dated 05.09.2013 and the order of termination dated 08.03.2013 which had

been preferred is said to be pending before the Chairman of the respondent-Indian Oil Corporation Limited (for short, “the Corporation”).

3. Learned counsel for the respondent-Corporation, however, submits that there is no provision for filing any review application against the appellate order.

4. Be that as it may and as prayed by the petitioner, the present writ petition is disposed of, granting him liberty to pursue his review application said to be pending before the Chairman of the respondent-Corporation.

5. The writ petition stands disposed of.

6. It is made clear that in case the review petition is considered and any order is passed thereon, the same shall be binding upon the petitioner.

(Vikash Jain, J)

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