

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No.464 of 2013**

Ramesh Kumar Goyal S/o Lt Shri Kriparam Goyal Aged About 55 Years R/o Agrasen Chowk, Amarkantak Road, Pendra Road, Distt Bilaspur, Proprietor Of The Firm M/s Kriparam Mahavir Prasad, Ex. Dealer Of Hindustan Petroleum Corporation Ltd, Petrol Pump, At Pendar, Distt Bilaspur,CG

---- Petitioner

Versus

1. Hindustan Petroleum Corporation Limited, a Company Registered under the Companies Act, Represented through its Chairman, Registered Office: 17, Jamshedji Tata Road, Mumbai (MS) 400 020

2. Hindustan Petroleum Corporation Limited, a Company Registered under the Companies Act, Represented through its Chief Regional Manager, Regional Office, Madina Manzil, 2nd Floor, Medical College Road, PB No.129, Raipur (CG) PIN 492 001

3. Union of India through Secretary to the Government, Department of Petroleum and Natural Gas, Shastri Bhawan, New Delhi-1

---- Respondent

For Petitioner	:	Shri Parag Kotecha, Advocate
For Respondent No.1 & 2	:	Shri Ali Asgar, Advocate
For Respondent No.3	:	Shri Rajkumar Gupta, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****11/02/2016**

Heard.

2. In view of authoritative pronouncement of Supreme Court in the case of ***Rahul Yadav and anr. vs. M/s Indian Oil Corporation Ltd. And others, AIR 2015 SC 2742,*** learned counsel for respondents submits that as the period of lease is co terminus with the period of dealership, the petition is without any merit.

3. Learned counsel for petitioner submits that the lease is liable to be terminated because the respondents have been paying very low rate of lease rent.

4. In view of decision of Supreme Court in the case of **Rahul Yadav** (supra), it is now well settled that termination of dealership is nothing to do with the period of lease. Therefore, no relief can be granted to the petitioner in this petition. The petition, is therefore, dismissed.

5. It is made clear that this Court has not decided any other rights and liabilities of the parties under the lease except the issue as referred to above.

Sd/-
Manindra Mohan Shrivastava
Judge