

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

WRIT PETITION No.26511 of 2016

ORDER:

Vide the present petition, the petitioner seeks Mandamus declaring the action of respondent in not supplying the petrol and diesel in favour of the petitioner for the purpose of conducting business i.e., M/s Naik Pit-Stop at Sujatha Nagar, Khammam District, without there being any order and even though petitioner is having subsisting licence upto 31.12.2016, as illegal, arbitrary and violative of principles of natural justice, and consequently to direct respondent to supply the petrol and diesel as usual.

In para-3 of the counter-affidavit, it is stated that the respondent corporation has issued a show cause notice to the petitioner on 03.08.2016 for violating the terms and conditions of the dealership agreement and the petitioner personally received the same on the same day. Further, the petitioner has also submitted its reply to the show cause notice vide letter dated 12.08.2016. Thus, the enquiry is going on and the present petition has been filed prematurely by the petitioner.

Learned counsel for the petitioner does not dispute the same and submits that let the respondent corporation be directed to complete the enquiry. If the petitioner still aggrieved, he may be permitted to approach the appropriate forum.

In view of the facts recorded above, learned counsel for the petitioner seeks permission of this Court to withdraw the instant petition with liberty to approach the appropriate forum, if

the petitioner is aggrieved by the decision of the enquiry taken by the respondent.

Permission as sought for is accorded.

Accordingly, this writ petition is dismissed as withdrawn with liberty as prayed for. No costs.

I hereby make it clear that the initial proceedings shall be completed within two (02) months.

Pending miscellaneous petitions, if any, shall stand closed.

JUSTICE SURESH KUMAR KAIT.

Date :26-08-2016

Gvl