

CWP No.24019 of 2014 O&M)

[1]

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

CWP No.24019 of 2014 O&M)

Date of decision:04.05.2016

M/s Aditi Indane Gramin Vitran-Assan Khurd and others ...Petitioners

Versus

Indian Oil Corporation Limited and others ...Respondents

CORAM: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. M.S.Sindhu, Advocate,
for the petitioners.

Mr. Ashish Kapoor, Advocate,
for respondent No.1.

Mr. Raman Sharma, Advocate,
for respondent No.2.

Rakesh Kumar Jain, J.

The Government of India, Ministry of Petroleum and Natural Gas, launched a new scheme dated 06.08.2009 for providing LPG connections in the rural areas, namely, Rajiv Gandhi Gramin LPG Vitrak (RGGLV) Scheme. The petitioners are the existing distributors of the RGGLV outlets in the State of Haryana. They are aggrieved of the advertisement dated 30.06.2013 issued by the Indian Oil Corporation Limited (IOCL), Bharat Petroleum Corporation Limited (BPCL) and Hindustan Petroleum Corporation Limited (HPCL), proposing to appoint new distributors under the RGGLV scheme under various categories for various locations in the State of Haryana. The sum and substance of their concern is that their business would be adversely affected with the opening

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of the new outlets of the LPG distributorship.

At the outset, counsel for the respondents has submitted that when the petitioners were appointed as the LPG distributors, they entered into an agreement with the Oil companies and agreed to the following condition as well:-

“The Corporation reserve the right, without any reference to or consent of the Distributor, to appoint one or more additional distributors in the same territory referred to in Clause 1(a) above and such additional distributor of distributors shall be entitled to make sales of Indane in the same territory without any objection from the Distributor and the Distributor shall not be entitled to claim any over-riding remuneration, commission or allowance for the purpose.”

Counsel for the respondents has further relied upon a decision rendered by this Court in the case of **H.S.Gas Service and Ors. vs. UOI and Ors.**, MANU/PH/0204/2016, which was filed by 26 LPG distributors of Jalandhar who had challenged a similar advertisement issued for appointment of LPG distributors under various categories at the locations specified in the State of Punjab on the ground that the appointment of more distributors in their area would affect their sales. The said writ petition was dismissed by this Court by a detailed order and the said order has allegedly been upheld in the intra-court appeal bearing LPA No.349 of 2016 titled as “**M/s H.S. Gas Service and others vs. Union of India and others**”, dismissed on 25.04.2016.

Thus, in view of thereof, I do not find any reason to interfere in this petition and hence, the same is hereby dismissed being denuded of any merit.

May 04, 2016
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(Rakesh Kumar Jain)
Judge