

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (PIL) No. 22 of 2017**

Raj Kumar Gupta S/o Late Shri Haridas Gupta, Aged About 54 Years R/o Haldibadi Chirimiri P. S. Chirimiri, District Korea (Chhattisgarh).

---- Petitioner**Versus**

1. Indian Oil Corporation Through The Managing Director, Madhya Pradesh State Office, Indian Oil Bhawan, 16 Arera Hills, Jail Road, Bhopal (Madhya Pradesh)
2. South Eastern Coalfields Limited, Through The General Manager/ Deputy Regional Manager, Kurasia Colliary, Tahsil Khadagawa, Chirmiri Region, District Korea (Chhattisgarh)
3. The Collector, District Korla (Chhattisgarh).
4. The Additional Collector, District Korea, Chhattisgarh.
5. Chief Manager (Mining)/ Sub Area Manager, Kurasia Colliary, Post Kurasia, Tahsil Khadgawa, District Korea (Chhattisgarh)
6. Regional Manager, Indian Oil Corporation Limited, Raipur Division Office, Indian Oil Bhawan, Rajiv Gandhi Road, Post Ravigram, Telibandha, Raipur (Chhattisgarh)
7. Ravi Pataria, S/o Shri Ramesh Pataria, Aged About 32 Years R/o Bada Bazaar, Ward No. 29, Chirmiri, District Korea (Chhattisgarh)

---- Respondents

For Petitioner	:	Shri Prateek Sharma, Advocate.
For Respondent No.1	:	Shri Anand Shukla, Advocate.
For Respondent No.2&4	:	Shri AS Kachhwaha, Additional Advocate General.
Respondent No.3&5	:	Shri Vinod Deshmukh, Advocate.
For respondent No.7	:	Shri B.D Guru, Advocate.

Hon'ble The Chief Justice
Hon'ble Shri Justice P. Sam Koshy

Order On Board**Per, Thottathil B. Radhakrishnan, CJ****07/04/2017**

1. When this matter is taken up today, it is submitted by the learned counsel for the petitioner that this Public Interest Litigation does not require to be further prosecuted because the NOC given by the statutory authorities, for the activity in question, has been cancelled.
2. The Indian Oil Corporation wanted a dealership outlet to be activated. The

dealer was identified and the site was cleared with a NOC obtained by the Indian Oil Corporation. This is under challenge through this Public Interest Litigation. By now the said NOC has been cancelled. Obviously, if the Indian Oil Corporation or the dealer concerned is aggrieved by the such action of cancellation of NOC, it is for them to seek relief from an appropriate jurisdiction in accordance with law.

3. Without prejudice to what has been stated in immediate preceding paragraph, since the NOC has been cancelled, learned counsel for the petitioner has rightly submitted that this petition has now become infructuous.
4. Resultantly, the writ petition is dismissed without answering any of the issues raised therein and leaving open the right of the Indian Oil Corporation or the dealer to challenge the cancellation of the NOC, in accordance with law, to the extent, that they would be able to do so in an appropriate jurisdiction.
5. The security amount, if any, deposited towards the probable costs of this Public Interest Litigation shall be released to the petitioner.

Sd/-

(Thottathil B. Radhakrishnan)
Chief Justice

Sd/-

(P.Sam Koshy)
Judge