

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CWP 2584 of 2017

Date of Decision: February 13, 2017

M/s Maharaj Filling Station

.....Petitioner

Vs.

Indian Oil Corporation Limited and anr.

.....Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

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Present:- Mr. I. K. Mehta, Sr. Advocate with
Mr.R.K. Dogra, Advocate
for the petitioner.

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M.M.S. BEDI, J. (ORAL)

Notice of motion to the respondents.

On the asking of the Court, Mr.Ashish Kapoor, standing
counsel for IOCL has accepted notice.

I have heard learned counsel for the petitioner and counsel for
the respondents and I am of the opinion that the writ petition is premature as
only a notice dated January 31, 2017 has been issued to M/s Maharaj Filling
Station, Village Lambra, District Jalandhar, advising to upload necessary
details/ documents pertaining to the dealership on the portal "Dealer Annual

Return” on the Corporation website. In the communication, the petitioner has been threatened that in the event of not submitting the details by February 14, 2017, the respondents would be constrained to stop supply of all the products and take necessary action as the Corporation deems fit.

Counsel for the petitioner has submitted that it has got an apprehension that the supply will be stopped without giving an opportunity of hearing.

After hearing counsel for both the parties, I am of the opinion that no cause of action has accrued to the petitioner as no prejudicial order, till date, has been passed. Taking into consideration the principles of natural justice and equity, I deem it appropriate to dispose of this petition at this stage with a direction that in case the respondent Corporation has to pass any prejudicial order against the petitioner after February 14, 2017, the rules of natural justice would be followed. In case the respondent Corporation opts to decide the stoppage of the supply to the petitioner after February 14, 2017, in accordance with the impugned letter annexure P-16, the said order will not be implemented for a period of one month in order to enable the petitioner to avail the legal remedy available to it in accordance with law. Ordered accordingly.

February 13, 2017
sanjay

(M.M.S.BEDI)
JUDGE

Whether speaking/ reasoned:	Yes/ No.
Whether Reportable:	Yes/No.