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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 1519/2013**

THE PETROLEUM DEALERS ASSOCIATION Petitioner

Through: Mr J.P. Sengh, Senior Advocate with
Mr Shashi Shanker and Ms Pooja
Mohanani, Advocates.

versus

UNION OF INDIA AND ORS Respondents

Through: Mr Ripu Daman Bhardwaj, CGSC
with Mr T.P. Singh, Advocate for R-
1.
Ms Mala Narayan and Ms Neha
Dawar, Advocates for R-2/IOCL.
Mr Vaibhav Asthana and Mr
Amreesh Garg, Advocates for R-3 &
4.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% 14.11.2017

1. Mr J.P. Sengh, learned Senior Counsel appearing for the petitioner states that the petitioner would be satisfied if respondent no.1 is directed to consider the petition as a representation on behalf of the petitioner and be directed to pass a speaking order. He states that a similar petition was disposed of by a Coordinate Bench of this Court by passing such directions. He has drawn the attention of this court to the order dated 04.02.2016 passed in *W.P.(C) 599/2013* captioned *Delhi Kerosene Storage Association v. Union of India and Ors.*

2. The learned counsel appearing for respondents referred to the decision

of the High Court of Madras in *M/s Joseph Trading Corporation v. The Union of India and Ors: Writ Appeal No. 898/2016* and other connected matters, ***decided on 04.08.2017***. On the strength of the said decision, she contends that a writ petition challenging a policy decision would not be maintainable. The aforesaid principle is well settled and unless a policy is arbitrary, unreasonable and falls foul of the Constitution of India or other laws, the courts would refrain from interfering with the same.

3. Having stated the above, the petitioner would have a right to approach the Government in regard to policy matters. Accordingly, the present petition is disposed of by directing respondent no.1 to consider this petition as a representation on behalf of the petitioner and pass an appropriate order thereon. Needless to state that all rights and contentions of the parties are reserved. In the event the petitioner is aggrieved by the decision of respondent, the petitioner would be at liberty to institute appropriate proceedings in accordance with law.

4. The concerned authorities are requested to dispose of the representation within a period of four months from today.

5. The petition is disposed of.

VIBHU BAKHRU, J

NOVEMBER 14, 2017
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