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

+ W.P.(C) 10966/2016

ATUL GULATI

..... Petitioner

Through: Mr.Ashish Virmani, Advocate

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Mr.Akshay Makhija and
Ms.Mahima Bahl, Advocates for
R-1 to 3

Mr.Anil Grover, Standing Counsel
with Ms.Kanika Singh, ASC for
NDMC.

Mr.Rikesh Singh, Adv for R-11.

Mr.Sanjoy Ghose, ASC for
GNCTD

Mr.Amrit Pal Singh, Adv for
EDMC

Mr.Rakesh Mittal, Adv for SDMC

Ms.Sahshi Mittal, Adv for NDMC

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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03.05.2017

1. The writ petitioner makes a grievance that in violation of Rules 121, 122, 117(2) and 17(3) of the Petroleum Rules, 2002 the respondents are permitting commercial outlets to operate from Petrol Pumps across Delhi.

W.P.(C) 10966/2016

page 1 of 3

2. The writ petitioner has made a detailed representation dated 3rd November, 2016 to the Secretary, Ministry of Petroleum &

Natural Gas, Government of India, pointing out the statutory rules as well as the impact of the violations thereof.

3. The same has not been considered and a view has not been taken on the critical aspects pointed out by the petitioner.

4. If the stated position is correct, the Government may need to carefully examine the policy in vogue regarding permissibility of commercial enterprises on Petrol Pumps.

5. In view thereof, for the time being, we dispose of this writ petition with a direction to the respondent No.1 forthwith examine the issues raised by the petitioner in the representation dated 3rd November, 2016 and to pass a speaking order there on within a period two months from today.

6. The order passed shall be communicated to the petitioner, who, if still aggrieved by the action/non-action of the respondent, would be at liberty to invoke the extraordinary jurisdiction of this Court by way of an appropriate writ petition.

7. Needless to say, in case, the respondent No.1 concludes that commercial activity is legally permissible then it may be necessary for the respondent no.1 to define the *W.P.(C) 10966/2016*

page 2 of 3

terms & conditions on which the same would be permitted.

8. The writ petition is disposed of in the above terms.

ACTING CHIEF JUSTICE

MAY 03, 2017/sv

ANU MALHOTRA, J

W.P.(C) 10966/2016

page 3 of 3