

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

**CWP-14893-2017 (O&M)
Date of Decision: 29.11.2018**

M/s Sharma Filling Station & others

... Petitioners

Versus

Indian Oil Corporation Ltd. & another

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Kanwaljit Singh, Senior Advocate with
Mr. Abhinav Aggarwal, Advocate for the petitioners.

Mr. Ashish Kapoor, Advocate for the respondents.

...

TEJINDER SINGH DHINDSA, J. (ORAL)

Petitioners have filed the instant petition under Articles 226/227 of the Constitution of India seeking issuance of a writ of mandamus directing the respondent/India Oil Corporation Limited to restore the supply of petroleum products/ancillary products to the retail outlet being run by the petitioners.

Learned senior counsel would submit that the supplies to the petitioners' outlet have been stopped under the garb of a Notice dated 27.01.2017 (Annexure P-14) which had not been served upon the petitioners and had been procured under the provisions of Right to Information Act.

Mr. Ashish Kapoor, learned counsel representing the respondent/Corporation joins issue and submits that the Notice dated 27.01.2017 (Annexure P-14) had been duly served but the same was not responded to and as such, it was only by way of a consequential action that the supplies had been stopped to the petitioners' outlet.

Without going into the merits of the instant petition, the instant writ petition is disposed of in terms of granting liberty to the petitioners to file a detailed response along with all supporting documents to the Notice dated 27.01.2017 (Annexure P-14) issued by the Indian Oil Corporation Limited, Amritsar Divisional Office, Amritsar within a period of one week from today. In the eventuality of any such response being furnished by the petitioners, respondent No.2 would be obligated to consider the same and to take a final decision thereupon within a period of three weeks thereafter. It would be appreciated if prior to taking a final decision in the matter, an opportunity of hearing is granted to the representative of the petitioners.

Disposed of.

29.11.2018*harjeet***(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |