

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.15781 of 2018

Date of Decision: 04.07.2018

M/s Indra Filling Station

... Petitioner

Versus

Indian Oil Corporation Limited and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Kanwaljit Singh, Sr. Advocate,
with Mr. Ajaivir Singh, Advocate,
for the petitioner.

Mr. Ashish Kapoor, Advocate,
for the respondent-caveator.

RAJIV NARAIN RAINA, J.(Oral)

The learned Senior counsel does not press this petition and prays that he may be permitted to withdraw the petition to enable the petitioner to file an appeal under Clause 8.9 of the Marketing Discipline Guidelines, 2013 before the appellate authority of the Indian Oil Corporation against the impugned order dated June 08, 2018 (Annex P-30) which terminates the retail outlet. It is given out that the outlet has been run since 1972. It would serve the ends of justice if the outer limit of 90 days provided in Clause 8.9 is abridged to three weeks from the date of filing of the appeal. The petitioner undertakes to file an appeal within one week from the date of receipt of this order and reply of the respondent be filed within seven days thereof. The exercise be completed within three weeks thereafter.

Hearing on the appeal is directed to take place at the office of

the Indian Oil Corporation Limited at Chandigarh with date, time and venue to be communicated to the petitioner by the appellate authority including by e-mail. It is expected that the appellate authority would take a rational decision on the materials placed before him and would look into any other material placed by the petitioner before him in support of its case for revoking the termination of the outlet. The reasons will be supplied to each of the points raised by the petitioner in his appeal.

An effective opportunity of hearing shall be provided to the petitioner, in case desired, through counsel appointed for the hearing. The final order be conveyed to the petitioner within three days of conclusion of hearing.

With these observations, the petition stands disposed of.

(RAJIV NARAIN RAINA)
JUDGE

04.07.2018

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Whether speaking/reasoned Yes/No

Whether reportable Yes/No