

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.18877 of 2018

Date of Decision: 01.08.2018

M/s Sterling Filling Station

... Petitioner

Versus

Bharat Petroleum Corporation
Ltd. and others

... Respondents

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

Present: Mr. Vipin Mahajan, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J.(Oral)

The petitioner has approached this Court at the stage when it is facing threat of termination of dealership on account of three irregularities mentioned in the show cause notice dated August 02, 2017 (P-15). The petitioner has filed his objections dated August 17, 2017 to the show cause notice at Annex P-16 stating reasons why the dealership should not be terminated and that too after 14 years. Pending proceedings the petitioner applied under the Right to Information Act, 2005 by letter dated August 31, 2017 seeking information regarding approval notes and other documents which have been refused citing the information sought falls under the negative list (Sr. No.14) - Technical and Administrative Approvals, available on the website and these are of commercial confidence, hence are denied under Section 8 (1) (d) of RTI Act, 2005 and appeal has not been filed. Nothing in writing has been given to the petitioner as to the fate of the application but Mr. Mahajan says that orally the petitioner has been informed that the dealership will be terminated.

In these circumstances, Mr. Mahajan confines his prayer limited to protection in case the dealership is terminated that the petitioner should be granted at least two weeks to enable her to approach Court in case termination is effective and the dealership closed.

Given that the dealership has been run for 14 years Mr. Mahajan's request is accepted and it is directed that in the event of termination, the operation of the termination order shall remain stayed till 14 days from the date the termination order is conveyed to the petitioner.

With these observations and directions, the petition stands disposed of.

(RAJIV NARAIN RAINA)
JUDGE

01.08.2018
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Whether speaking/reasoned Yes/No

Whether reportable Yes/No