

**CM-11296-CWP-2018 in/and
CWP-2497-2017**

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204

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

**CM-11296-CWP-2018 in/and
CWP-2497-2017
Date of decision-07.08.2018**

**M/s Rana Filling Station, HPCL Petrol Pump,
District Kaithal.**

....Petitioner

Vs.

Union of India and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. J.S.Dhaliwal, Advocate for the petitioner.

Mr. Vipul Aggarwal, Sr.Panel Counsel
for respondent No.1-UOI.

Mr. Aman Arora, Advocate for respondent Nos.2 and 3.

JITENDRA CHAUHAN, J.

CM-11296-CWP-2018

Application is allowed as prayed for.

Documents are taken on record subject to all just exceptions.

CWP-2497-2017

This writ petition under Articles 226/227 of the Constitution of India has been filed for the issuance of a writ, in the nature of certiorari for quashing the impugned order of termination dated 03.08.2015 (Annexure P-7) issued by respondent/corporation.

Learned counsel for respondent No.1 states that during the pendency of the present petition, respondent No.1 has constituted the

Dispute Resolution Panel on 03.08.2018 vide Annexure R-1/5. Learned counsel for the petitioner submits that the existing Clause 8.9 of the Appellate Proceedings of the Marketing Discipline Guidelines has been amended to the extent that the terminated dealer preferring appeal would be required to deposit Non-refundable appeal fee of ₹5 lakh along with his appeal to the concerned Oil Marketing Company (OMC) whereas the application of the petitioner under Clause 8.9 of the Appellate Proceedings of the Marketing Discipline Guidelines is pending since 24.08.2015.

In such a fact situation, it is ordered that the amended Clause 8.9 of the Appellate Proceedings of the Marketing Discipline Guidelines will not be pressed against the petitioner.

At this stage, learned counsel for the petitioner seeks to withdraw the instant petition with liberty to agitate his right before the newly constituted Dispute Resolution Panel.

Dismissed as withdrawn with the liberty aforesaid.

Pending application(s), if any, shall stand disposed of.

**(JITENDRA CHAUHAN)
JUDGE**

07.08.2018

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No