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

+ W.P.(C) 7337/2018 & CM Nos.28027-28/2018

MS. POOJA MAHAJAN Petitioner
Through : Mr. A. Maitri and Ms.
Radhika, Advs.

versus

UNION OF INDIA Respondent
Through : Mr. Sanjeev Narula, CGSC
with Mr. Abhishek Ghai,
Adv. for UOI.

CORAM:
HON'BLE THE ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER
% **18.07.2018**

W.P.(C) 7337/2018

1. This writ petition submits that the fixation of daily price of petrol and diesel by the respondent is unconstitutional and seeks a *mandamus* to the respondent to fix the “*fair price*” of petrol and diesel.
2. On a *prima facie* reading of Section 3 of the Essential Commodities Act, 1955, the same appears to be a discretionary function of the respondent.

3. Furthermore, no complaint has been made by the petitioner to the respondent with regard to any specific illegalities.

4. This writ petition is disposed of with a direction to the respondent to treat this writ petition as a representation and take a view on the matter.

CM Nos.28027-28/2018

In view of the orders passed in the writ petition, these applications do not survive for adjudication and are hereby disposed of.

Dasti to parties.

ACTING CHIEF JUSTICE

C.HARI SHANKAR, J

JULY 18, 2018

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