

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2213 of 2019**

- M/s G. S. Bhatia And Company Imam Chowk, G.E. Road, Rajnandgaon, 491441 Through Proprietor Gurdeep Singh Bhatia, R/o Sandeep Sadan Pulgaon Naka Durg - 491001 Tahsil And District Durg Chhattisgarh

---- Petitioner**Versus**

1. Union Of India Through Chief Secretary, Ministry Of Commerce Industry Petroleum And Safety Organization (Peso) New Delhi - 01
2. Controller Of Explosives Avanti Vihar Colony, Main Road, Post - Shankar Nagar, Raipur 492007 Chhattisgarh
3. Collector (Distt. Magistrate) Rajnandgaon - 491441. Tahsil And District Rajnandgaon Chhattisgarh
4. Hindustan Petroleum Corporation Limited Through Regional Manager, Madina Manzil, Medical College Road, Raipur 492001, District Raipur Chhattisgarh

---- Respondents

For Petitioner	:	Shri V.G. Tamaskar, Advocate
For Respondent No.1	:	Shri B. Gopa Kumar, ASG for the Union of India
For Respondent No.3/State	:	Shri Ashish Surana, PL
For Respondent No.4	:	Shri Ali Asgar, Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****10/07/2019**

1. Heard.

2. Learned counsel for the petitioner submits that the petitioner was a petroleum dealer on behalf of Hindustan Petroleum Corporation Limited at Rajanandgaon. He would further submit that the HPCL suffered an eviction order on 27.02.2019, consequent upon that the petroleum supply to the petitioner was stopped as the license was suspended. He would further submit that thereafter the eviction order was subject of appeal before the Rent Controlling Authority, wherein the eviction order has been stayed, thereby the original license has been automatically restored, he, therefore, prays that the supply of the petroleum to the petitioner may be accordingly restored.
3. Learned counsel for the HPCL would submit that after the letter was received by the controller of explosive after the eviction order was passed to suspend the license, therefore, as an interim measure the license was suspended. It is further stated that the stay of eviction order by Rent Controlling Authority was informed by letter dated 20.05.2019 to the respondent No.2 controller of explosives, who has suspended the license.
4. Learned Assistant Solicitor General appearing for the Union of India would submit that since in view of the eviction order was existing, the license was suspended. As per instructions it is stated that if the order of eviction which has been stayed by the Rent Controlling Authority if are furnished, they will restore the license.
5. Perusal of the record would show that on 27.03.2019 the eviction order has been stayed by the Rent Controlling Authority and since the eviction order was

the sole genesis for suspension of license has been stayed. It has been stated that if the eviction order which has been stayed is supplied, the license would be restored. The perusal of the order dated 27.03.2019 filed before this Court, passed by the Rent Controlling Tribunal would show that the eviction order has been stayed. Consequently, the ground on which the license was suspended has lost its ground. In a result, it is directed that the license of the petitioner, which was suspended by the respondent No.2 shall be restored within a period of 7 days from the date of receipt of certified copy of this order.

6. With the aforesaid observation, the writ petition stands disposed of.

Sd/-

Goutam Bhaduri
Judge

Ashu