

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No. 2773 of 2019**

Smt. Urmila Gupta, W/o. Tarachand Gupta, Aged About 52 Years, R/o. Village 10 - Raghunath Nagar, Tahsil Wadrafnagar, District Balrampur 497225 Chhattisgarh.

---- Petitioner

Versus

1. Hindustan Petroleum Corporation Limited (Government Of India Enterprises), Registered Office 17, Jamshed Ji Tata Road, Mumbai 400020 Maharashtra.
2. Chief Regional Manager, Hindustan Petroleum Corporation Limited, Bilaspur Retail Region, 1st Floor, Bajpai Pavilion, Vyapah Vihar Road, Bilaspur 495001 (Chhattisgarh)

---- Respondents

For Petitioner	:	Mr. Anand Shukla, Advocate
For Respondents	:	Mr. Ali Asgar, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

13.08.2019

Heard

1. The present petition is against the letter dated 25.07.2019 which is a show cause notice as to why the dealership which has been granted shall not be canceled.
2. Learned counsel for the petitioner submits that the petitioner on the basis of certain certificates had applied for dealership, which was granted to her and nothing was concealed and the petitioner was working as Anganbadi worker, therefore, the fact of concealment do not exists at all. However, on the basis of certain report made, the show cause notice has been issued and the show cause notice is issued with a predetermined mind, therefore, the same required to be quashed, as the language of the show cause notice itself would show that everything has been decided at the end of the respondents.
3. Per contra, learned counsel for the respondents opposes the argument and

submits it is only a show cause notice against which the petition has been filed.

4. Perused the document under challenge i.e. letter dated 25.07.2019, which is a show cause notice. Reading of the said letter would show that explanation in reply has been called to answer the show cause notice within stipulated time. It further purports that if explanation is not given it shall be deemed that she do not wish to file any reply. After going through the letter dated 25.07.2019 (Annexure P-1) prima facie it do not show that it has been issued with a predetermined mind. The show cause notice further shows that it has called for explanation and the petitioner can very well put forth the entire facts & documents before the authorities by which it has been issued. Mere say of petitioner that the show cause is predetermined cannot be accepted, as it has no force except the oral submission and sans facts. The petition is premature at this stage. The petitioner may file the reply to show cause within a week before the respondent authorities from today.
5. In view of the above, the petition is dismissed.

Sd/-
Goutam Bhaduri
Judge