

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

CWP No.10708 of 2019 (O&M)
Date of decision:-03.07.2019

Jaswant Kaur

.....Petitioner

versus

The Bharat Petroleum Corporation Limited and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Ashish Aggarwal, Senior Advocate with
Mr. Kartik Gupta, Advocate for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

Pleadings on record would indicate that the Letter of Intent dated 04.03.2014 for setting up a retail outlet of dealership had been issued to the petitioner by the Bharat Petroleum Corporation Limited.

Challenge in the instant petition is to the communication dated 05.04.2019 at Annexure P-25 issued by the Territory Manager (Retail), Bharat Petroleum Corporation Limited, Jalandhar, calling upon the petitioner to submit an explanation alongwith supporting documents as to why action be not initiated for withdrawal of the Letter of Intent dated 04.03.2014.

During the course of arguments, it stand conceded that the petitioner has furnished a detailed reply dated 25.04.2019 (Annexure P-26) alongwith all supporting documents and duly received in the concerned office of the Bharat Petroleum Corporation Limited on 26.04.2019. It is also contended that till date no final decision has been taken.

Having heard counsel at length, it is the considered view of this

Court that the communication at Annexure P-25, which is in the nature of show cause notice having been issued and the petitioner having responded to the same, the respondent/competent authority under the Bharat Petroleum Corporation Limited ought to consider the same and to take a decision thereupon.

The writ petition as such at this stage is pre-mature and is disposed of with a direction to respondent No.2 to consider the reply dated 25.04.2019 (Annexure P-26) as also the supporting documents and to thereafter take a final decision in the matter by passing a detailed and reasoned order.

Prior to taking final decision an opportunity of personal hearing be also afforded to the petitioner.

The final order be passed expeditiously and in any case within a period of two months from the date of receipt of the certified copy of this order.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

03.07.2019

shweta

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No