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

+ W.P.(C) 2699/2019 & CM No. 12632/2019

M. RAMESH

..... Petitioner

Through: Mr G. Sivabalamurugan, Mr
Karvppaih and Mr Vivek Bharathi,
Advocates.

versus

UNION OF INDIA AND ORS.

..... Respondents

Through: Mr Rajesh Gogna, CGSC for R-1.
Ms Mala Narayan with Mr Rahul
Narayan and Mr Shashwat Goel,
Advocates for R-2 to R-5.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **19.03.2019**

1. The petitioner has filed the present petition, impugning a judgment dated 18.12.2018, passed by the Dispute Resolution Panel (DRP), whereby the petitioner's appeal against an order dated 14.03.2017 terminating the petitioner's dealership, was rejected. The DRP had examined the matter and had noted that the irregularities alleged against the petitioner were admitted. It was the petitioner's case that he had purchased MS from another retailer without the authorization of Indian Oil Corporation Ltd (IOCL). He had also admitted that he was dispensing MS/HSD from a dispensation unit, without calibration and permission. And, it was also admitted that there was stock variation in MS/HSD.
2. It was the petitioner's case that he was not being provided any credit

facilities and, therefore, instead of purchasing MS/HSD from the IOCL directly, he had purchased the said product from another dealer. He had further proceeded to dispense the said product from a dispensing unit, which was not calibrated. The petitioner contended that the said actions were done with the permission of Assistant Manager (Sales Officer) of IOCL. However, there is nothing on record which would indicate that any express permission was granted by any official of the IOCL for the said actions. Further, the dealership agreement also clearly indicates that the petitioner was obliged to procure all products from IOCL.

3. In view of the above, this Court finds no infirmity with the impugned order of the DRP which warrants any interference under Article 226 of the Constitution of India.

4. The petition is, accordingly, dismissed.

VIBHU BAKHRU, J

MARCH 19, 2019

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