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

+ **W.P.(C) 2472/2020**

MAHARASHTRA NATURAL GAS LIMITED Petitioner

Through: Mr.Sanjay Jain, Sr. Adv. and Mr.Sacchin
Puri, Sr. Adv. with Mr.V.S.Subramanyan,
Mr.Niraj Kumar, Mr.Padmash Mishra, Mr.Arkaj
Kumar, Mr.Rohit Jha, Advs.

versus

PETROLEUM AND NATURAL GAS REGULATORY BOARD

..... Respondent

Through: Ms.Sonali Malhotra, Mr.Rakesh Diwan,
Mr.Mohit Buddhiraja, Advs. for PNGRB.
Mr.Darpan Wadhwa, Sr. Adv. with Mr.Rishi
Agrawala, Mr.Karan Luthra, Ms.Megha Bengani,
Advs. for the applicant in CM 9033/2020.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **05.03.2020**

CM 8621/2020

Exemption allowed, subject to all just exceptions.

CM 9033/2020 (u/O 1 R.10 CPC on behalf of Mahesh Gas Ltd.)

Mr.Darpan Wadhwa, the learned senior counsel for the
applicant submits that he has instructions not to press the application
at the present stage.

WP(C) 2472/2020 & CM 8622/2020

This petition has been filed by the petitioner praying for the
following reliefs:

“i. Issue a writ of certiorari or any other appropriate writ, order or direction calling for the records relating to the letter/order dated 01.10.2019 and the Show Cause Notices (4 in number) all dated 14.02.2020 and quash the same as without jurisdiction and as based on mere conjectures and surmises and pass such further or other

consequential orders as this Hon'ble Court may deem fit and proper so that justice may be done;

ii. Issue a writ of mandamus or any other appropriate writ, order or direction, directing the Respondent not to take any coercive action against the Petitioner in furtherance of the Show Cause Notices (4 in number) all dated 14.02.2020."

The dispute between the parties is in relation to the four CNG Stations that are claimed by the respondent to be operated by the petitioner beyond its Geographical Area.

The learned senior counsel for the petitioner submits that while for two of these CNG Stations, the petitioner admits that the same are beyond its Geographical Area and for which the petitioner had sought *ex-post facto* approval even on payment of the necessary charges, for the other two, the petitioner disputes that the same are beyond its geographical area. He further submits that the Show Cause Notices in fact, pre-decided the factum of these CNG Stations being beyond the geographical area of the petitioner and do not consider the request of the petitioner made vide its letter dated 25.11.2019.

I have considered the submissions made by the learned senior counsel for the petitioner. Admittedly, at the present stage, only Show Cause Notices have been issued by the respondent.

It would, therefore, be open to the petitioner to raise all its grievances against the same with the respondent regarding the two CNG Stations that do not fall beyond the Geographical Area of the petitioner and for the other two where the petitioner claims it is entitled to receive an *ex-post facto* approval.

At this present stage, there is no cause to infer that such representation/reply filed by the petitioner would not be considered by the respondent on its merit.

Needless to state, incase, the petitioner is aggrieved of the decision taken by the respondent of such Show Cause Notices, it shall always be open to the petitioner to challenge the same in accordance with law.

In view of the above, the present petition is disposed of, granting liberty to the petitioner to raise all its pleas in the reply to the Show Cause Notices.

At this stage, the learned senior counsel for the petitioner submits that the time for submitting the petitioner's reply to the Show Cause Notices would be expiring tomorrow. He prays that such time be extended by a reasonable period for the petitioner to make the representation/reply to the respondent's Show Cause Notices.

Having considered the submissions made, the time for the petitioner to submit its reply/representation is extended by a further period of one week.

The petition is disposed of in the above terms.

It is made clear that this Court has not expressed any opinion on the merit of the submissions made by the petitioner.

Dasti.

NAVIN CHAWLA, J

MARCH 05, 2020
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