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IN THE HIGH COURT OF DELHI AT NEW DELHI

Judgment Delivered On: 21.08.2020

LPA 218/2020

COMMISSIONER OF INDUSTRIES, GNCTDAppellant

versus

M/S SHREE JEE ROADLINES & ORSRespondents

Advocates who appeared in this case:

For the Appellant : Ms. Hetu Arora Sethi, Additional Standing Counsel for GNCTD

For the Respondents : Mr. A. Mariarputham, Senior Advocate with Mr. Avneesh Arputham and Mr. Anuradha Arputham, Advocates for R-1 to 18
Mr. Vikram Mehta, Mr. Mansa Shukla and Mr. Ritesh S., Advocates for R-19
Mr. Rajesh Gogna, CGSC for R-21

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MR. JUSTICE TALWANT SINGH

J U D G M E N T

SIDDHARTH MRIDUL, J. (via Video Conferencing)

CM APPL.19872/2020 (Exemption)

Exemption granted subject to all just exceptions.

The application is disposed of accordingly.

CM APPL.19873/2020 (Exemption)

The present application under Section 151 of the Code of Civil Procedure, 1908 has been filed on behalf of the applicant/appellant

seeking exemption from filing duly notarized/attested affidavits in support of the accompanying appeal, as well as, applications.

For the reasons stated in the application and in view of the present prevailing situation, the same is allowed. The applicant/appellant is allowed to file the duly signed, notarized and attested affidavits within a period of one week from the date of resumption of regular functioning of the Court.

With the above direction, the present application is disposed of.

LPA 218/2020 & CM APPL.19871/2020 (Stay)

1. The present Letters Patent Appeal under Clause 10 of the Letters Patent read with the provisions of the Delhi High Court Rules, has been instituted on behalf of the appellant, praying as follows:-

- “(a) Pass an order setting aside the order dated 17.02.2020 passed by the learned Single Judge in Writ Petition No.13198/2019;
- (b) Pass an order allowing the present appeal in terms of the relief sought by the appellant in CM No.6200/2020;
- (c) Pass any such other order or orders as may be deemed fit and proper.”

2. After some arguments, Ms. Hetu Arora Sethi, learned Additional Standing Counsel appearing on behalf of the Commissioner of Industries, Government of National Capital Territory of Delhi, the appellant herein, limits the relief in the present Letters

Patent Appeal to the grant of extension of time, in order to enable them to comply in letter and spirit, with the final order dated 19.12.2019, passed by the learned Single Judge in W.P. (C) 13198/2019 titled as '*Shree Jee Roadlines & Ors. vs. Indian Oil Corporation Ltd. & Ors.*'

3. Issue notice.

4. Mr. Avneesh Arputham, learned counsel accepts notice on behalf of the respondent Nos.1 to 18; Mr. Vikram Mehta, learned counsel accepts notice on behalf of the respondent No.19; and Mr. Rajesh Gogna, learned Central Government Standing Counsel accepts notice on behalf of the respondent No.21.

5. Having heard learned counsel appearing on behalf of the parties, perused the relevant record and in view of the ongoing Corona Virus pandemic, we are of the view that, it would be in the interest of justice to extend the time for compliance with the directions issued by the learned Single Judge vide order 19.12.2019 in W.P. (C) 13198/2019, for a further period of four weeks from today.

6. Directed accordingly.

7. It is clarified that, in view of the circumstance that the said final order was passed by the learned Single Judge, as far as back on

19.12.2019, no further extension shall be granted to the appellant to comply with the directions issued therein.

8. The Indian Oil Corporation Limited/respondent No.19 and Hindustan Petroleum Corporation Limited/respondent No.20 shall not suspend the loading of the trucks of the private respondents for a period of one week from the date of compliance by the appellant, of the directions issued by the learned Single Judge vide order dated 19.12.2019.

9. No further directions are called for.

10. With the above directions, the present appeal is disposed of. The pending application also stands disposed of.

11. A copy of this judgment be provided electronically to learned counsel appearing on behalf of both the parties and be uploaded on the website of this Court forthwith.

SIDDHARTH MRIDUL
(JUDGE)

TALWANT SINGH
(JUDGE)

AUGUST 21, 2020
dn/as

[*Click here to check corrigendum, if any*](#)