

2023:PHHC:073864  
IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH  
CM-9467-CII-2023 in/and  
FAO-7103-2019  
Date of decision: 22<sup>nd</sup> May, 2023

Indian Oil Corporation Ltd and another  
...Applicant/appellants  
Versus  
M/s Shahid Rajender Parshad Filling Station and another  
...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN**

Present: Mr. Ashish Kapoor, Advocate for the applicants/appellants.  
Mr. Abhishek Yadav, Advocate for the respondents.  
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**AVNEESH JHINGAN, J (Oral):**

**CM-9467-CII-2023**

1. This application is filed for preponing the date fixed in the main appeal and disposing of the same being infructuous.
2. Learned counsel for the respondents has no objections to the acceptance of prayer of learned counsel for the applicants.
3. For the reasons mentioned in the application, the same is allowed.
4. With the consent of both the parties, the main petition is taken on Board today itself.

**Main case**

5. Learned counsel for the appellant submits that due to subsequent development during the pendency of the appeal, no cause of action survives for pursuing the present appeal.
6. Disposed of as infructuous.
7. Since the main case has been disposed of as infructuous, pending application, if any is rendered infructuous.

**[AVNEESH JHINGAN]  
JUDGE**

**22<sup>nd</sup> May, 2023**  
*Parveen Sharma*

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|-------------------------------|---|----------|
| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable         | : | Yes / No |