



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO. 3341 OF 2024

Ms Amit Gas Service Through Its Proprietor Subhash Uttam Thakur  
**VERSUS**  
Union Of India Through The Secretary And Another

Mr. S. C. Yeramwar, Advocate for the Petitioner  
Mr. R. B. Bhosale, Advocate for Respondent No.1  
Mr. A. P. Bhandari, Advocate for Respondent No.2.

CORAM : RAVINDRA V. GHUGE AND  
R. M. JOSHI, JJ.

DATE : 1<sup>st</sup> April, 2024

PER COURT :-

1. The learned Advocate appearing on behalf of the Respondent-Company places before us the Marketing Discipline Guidelines 2022 applicable for LPG Distributorship with effect from 1<sup>st</sup> May, 2022. More specifically, he points out clause 3.11 at internal page No.20 which enables the Petitioner to file an appeal if the penalty / leviable fine etc. is below Rs. 10 lacs. He points out sub clause No.2 which reads as under:

"3.11. ...

1.....

2. *The appeal in case of regular LPG distributorship would be allowed only after the amount equivalent to 25% of fine/quantum of irregularity as levied or Rs.10 lacs, whichever is lower, has been deposited by the Distributor with the OMC.*

*Appeal in case of Durgam Kshetriya Vitarak (DKV) shall be allowed only after 10% of fine/quantum of irregularity as levied or Rs.1 lac, whichever is lower, has been deposited by the distributor with the OMC.*

*In case the verdict on the appeal goes in favour of the distributor, the OMC shall refund the amount as applicable without interest after the disposal of the appeal. However, in case the appeal is rejected, the distributor will have to deposit the balance amount of fine/quantum of irregularity as levied to the concerned OMC within 30 days from the date of disposal of the appeal."*

2. The learned Advocate for the Petitioner submits, on instructions, that the Petitioner would prefer such an appeal. He prays that all contentions be kept open.

3. In view of the above, **this Writ Petition is disposed off.**

4. The time spent by the Petitioner in this Court since 18<sup>th</sup> March, 2024 till the passing of this order, shall be excluded.

( R. M. JOSHI, J. )

( RAVINDRA V. GHUGE, J. )

ssp