

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 9001 OF 2024

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SUBHASH
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Date: 2024.07.09
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M/s. Sagar Automobiles

.. Petitioner

Versus

Indian Oil Corporation Ltd. & Anr.

.. Respondents

Adv. Sunil Purohit a/w Rubin Vakil i/b. Rahul Karnik for the
Petitioner.

Adv. Chirag Mody a/w Sunil G. and S. M. Seegarla i/b. RMG Law
Associates for the Respondents.

**CORAM: B. P. COLABAWALLA &
ARIF S. DOCTOR, JJ.**

DATE: JULY 08, 2024

P. C.

1. After this Writ Petition was argued for some time and when we were inclined to entertain it, Mr. Purohit, the learned Counsel appearing for the Petitioner, submitted that there is an appeal provided in the Marketing Discipline Guidelines which are effective from 8th January, 2013 and as amended on 2nd October, 2017. Mr. Purohit submitted that as per Clause 8.9 of these Guidelines, the Petitioner would like to avail of the Appellate

remedy. He, however, requested that since the business of the Petitioner has come to a standstill, the Appellate Authority be directed to decide the Appeal of the Petitioner [and which is proposed to be filed] as expeditiously as possible. Mr. Purohit has also stated that the Appeal shall be filed by the Petitioner within a period of one week from today.

2. In light of the aforesaid statement, we direct that the Appeal against the termination order dated 12th June, 2024 shall be filed by the Petitioner within a period of one week from today. If such appeal is filed within the stipulated period, the Appellate Authority, under Clause 8.9 of the Marketing Discipline Guidelines shall decide the Appeal as expeditiously as possible, and preferably within a period of six weeks from the date of filing of the Appeal by the Petitioner.

3. It is needless to clarify that if the Appeal is filed within a week from today, the Appellate Authority shall decide the Appeal on merits and not raise the issue either of limitation or maintainability of the Appeal.

4. The above Writ Petition is accordingly disposed of. However, there shall be no order as to costs.

5. This order will be digitally signed by the Private Secretary/
Personal Assistant of this Court. All concerned will act on production by fax
or email of a digitally signed copy of this order.

[ARIF S. DOCTOR, J.]

[B. P. COLABAWALLA, J.]