

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

205

2024.PHHC:157133



CWP-13570-2024 (O&M)
Date of decision: 27.11.2024

M/S CHEEMA FILLING STATION

..Petitioner

Versus

INDIAN OIL CORPORATION LTD. AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Ojaswini Gagneja, Advocate for the petitioner.

Mr. Ashish Kapoor, Advocate for respondents.

ANIL KSHETARPAL, J(Oral)

1. On 30.05.2024, the following order was passed:-

“The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of communication dated 14.05.2024 (Annexure P-19) whereby respondents-corporation has asked it to hand over possession of site of Retail Outlet.

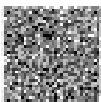
Mr. Sanjay Kaushal, Senior Advocate submits that respondents inspected business premises of petitioner on 08.03.2022 and on the very same day suspended operation of Retail Outlet. The petrol pump since March' 2022 is lying closed. The respondents for the pointed out infirmities, at the most, can suspend sale for 15 days whereas petrol pump of the petitioner is lying closed for last 27 months. The respondent has no authority to pass any adverse order after 30 days from the date of inspection.

Notice of motion returnable for 27.08.2024.

Mr. Ashish Kapoor, Advocate, who on advance notice is present in Court, accepts notice and waives service. He seeks time to get instructions/file reply.

In the meantime, the respondents shall refrain from taking possession of Retail Outlet of the petitioner.”

2. Learned counsel representing the petitioner admits that this writ petition has been filed to challenge various show cause notices issued to the petitioner, various replies to the show cause which have been submitted by the petitioner.



3. Learned counsel representing the Indian Oil Corporation Ltd. has submitted that the petitioner has been called for personal hearing on 12.12.2024 and final decision on the various show cause notices shall be taken within a period of two weeks from 12.12.2024.
4. Keeping in view the aforesaid developments, the writ petition is disposed of while directing the Indian Oil Corporation Ltd. to take a decision with respect to various show cause notices by passing a speaking order within a period of 15 days from 12.12.2024, if, the petitioner appears before the competent authority.
5. Till then, the interim order passed on 30.05.2024, restraining the respondents from taking possession of the petrol outlet to the petitioner shall continue to operate.
6. All the pending miscellaneous applications, if any, are also disposed of.

November 27th, 2024

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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No