

HIGH COURT OF CHHATTISGARH AT BILASPUR**WRIT PETITION (C) NO. 445 OF 2020**

Shivram Rajaram Agrawal S/o Shri Rajaram Agrawal, aged about 53 years, Proprietor-M/s Gaurav Filling Station, Resident of C-2, Gawri Apartment, behind Amit Sales, Gali No. 1, Fafadih, Raipur, Chhattisgarh- 492001. Permanent Address- 403/11B, Alkapuri Society, G.I.D.C. Ankleshwar, District Bharuch, Gujarat- 393002

... Petitioner**versus**

1. Indian Oil Corporation Limited, Raipur Division Office, through- Chief Divisional Retail Sales Manager, Raipur Divisional Office, Indian Oil Bhawan, Rajiv Gandhi Marg (VIP Road), Post- Ravigram, Telibanda, Raipur (CG)
2. The Chief Divisional Retail Sales Manager, Indian Oil Corporation Limited, Divisional Office Raipur, Indian Oil Bhawan, Rajiv Gandhi Marg (VIP Road), Post- Ravigram, Telibanda, Raipur (CG)

... Respondents

For Petitioner	:	Mr. Parag Kotecha, Advocate
For Respondents	:	Mr. Anand Shukla, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****31/01/2020**

1. The petitioner was given the dealership by the respondents as early as in the year 2009 and since then he has been operating the dealership in the name and style of "M/s Gaurav Filling Station" at Vaishali Nagar, Bhilai, District Durg.
2. According to the petitioner, in between, there was some family dispute over the property on which the said dealership outlet was operating. The brother of the petitioner, namely, Rakesh Rajaram Agrawal, filed a suit being Civil Suit No. 80A/2006 before the 9th Additional District Judge, Durg for declaration and permanent injunction in respect of the said property, which stood dismissed on 17.9.2019. Against the said order dated 17.9.2019, a first appeal i.e. F.A. No. 431/2019 has also been filed which is pending consideration before the High Court and that there is no interim order in favour of the appellant/plaintiff in the said appeal.
3. Subsequently, the respondent-corporation themselves had issued a letter dated 23.9.2019 seeking for certain clarification so far as reconstitution of the said retail outlet is concerned. The petitioner immediately submitted his detailed response to the said letter on 27.9.2019, however, there has been no further development. Hence, the present writ petition has been filed by the petitioner.

4. Learned counsel for the respondents produces a copy of order dated 17.10.2019 passed by the respondent-corporation. The said correspondence shows that an explanation has been called upon from the petitioner regarding complaint of multiple dealership operation. The said correspondence also shows that that the letter dated 23.9.2019 issued by the respondent-corporation so far as reconstitution of the said retail outlet of the petitioner is concerned, the same has been put on hold till the enquiry in respect of complaint of multiple dealership operation against the petitioner is pending.
5. The petitioner submits that he has also filed a reply to the said letter dated 17.10.2019.
6. Given the fact that the respondent-corporation have vide their letter dated 17.10.2019 ordered for putting on hold their letter dated 23.9.2019 so far as reconstitution of retail outlet of the petitioner is concerned, ends of justice would meet if the respondents are directed to conclude the enquiry so far as complaint of multiple dealership operation is concerned at the earliest and thereafter promptly further take steps on the letter which has been put on hold by letter dated 17.10.2019. Let this exercise be completed by the respondents within a period of four months from the date of presentation of certified copy of this order by the petitioner before the respondents.
7. The writ petition accordingly stands disposed of with the aforesaid direction.

Sd/-
(P. Sam Koshy)
Judge

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