

THE HONOURABLE SRI JUSTICE NINALA JAYASURYA

WRIT PETITION No. 8332 of 2020

ORDER:

Heard the learned counsel for the petitioner and the learned counsel for the respondents 2 to 4.

Learned counsel for the petitioner in the present writ petition challenged the proceedings issued by the respondents, dated 14.03.2020, imposing penalty of Rs.4,22,003.87ps. Learned counsel for the petitioner submits that without following the Marketing Discipline Guidelines, 2018, for LPG distributorship, more particularly, Clauses 3.6, 3.7 and 3.8 of the said Guidelines, the impugned orders have been passed.

The learned counsel for the respondents, on the other hand, submits that the petitioner has an effective alternative remedy under the Guidelines itself and in view of the same, the writ petition is not maintainable.

However, without going into merits of the case, this Court is of the opinion that the writ petition can as well be disposed of with the liberty to the petitioner to file an appeal under the Guidelines referred to supra.

Learned counsel for the petitioner submits that in view of the lockdown, the petitioner is not in a position to file an appeal. However, the learned counsel for the respondents submits that an appeal can as well be filed through e-mail with all supporting documents.

Considering the said submission, the petitioner is permitted to file an appeal along with the connected documents against the orders, dated 14.03.2020, to the Zonal Manager, Visakhapatnam, who, according to the learned counsel for the respondents, is the appellate authority, within a period of three (3) weeks from the date of receipt of a copy of this order, and on filing of such appeal, the same shall be entertained and appropriate orders be passed, after giving due opportunity of hearing to the petitioner.

The Writ Petition is disposed of, accordingly. There shall be no order as to costs.

As a sequel thereto, the miscellaneous petitions, if any, pending in this Writ Petition shall stand closed.

JUSTICE NINALA JAYASURYA

Date : 30.04.2020.
SPR

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