

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Civil Writ Petition No. 10610/2021

Rajasthan Petroleum Dealers Association, C/o Rajputana Automobile Ratanada, Jodhpur Through Its President Gopal Singh Rudia S/o Kan Singh Chouhan, Aged About 55 Years, R/o 40, Z.s.b., B.j.s. Colony, Jodhpur, Rajasthan.

-----Petitioner

Versus

1. Union Of India, Through The Secretary, Ministry Of Petroleum And Natural Gas, Shastri Bhawan, New Delhi 110001
2. Indian Oil Corporation Limited, Through Its Chairman And Managing Director Having Office At 3079/3 J.b. Tito Marg, Sadiq Nagar, New Delhi 110049
3. Bharat Petroleum Corporation Limited, Through Its Chairman And Managing Director Having Office At Bharat Bhawan 5 And 6 Karimbhoy Road, Ballard Estate, Post Box No. 688, Mumbai 4000001
4. Hindustan Petroleum Corporation Limited, Through Its Chairman And Managing Director Having Office At Petroleum House 17 Jameshad Ji Tata Road, Mumbai 400020

-----Respondents

For Petitioner(s) : Mr. Ankur Mathur

JUSTICE DINESH MEHTA

Order

20/10/2021

1. Mr. Mathur, learned counsel for the petitioner, invites Court's attention towards the Office Memorandum dated 19.01.2012, particularly para No.6.6 thereof and submits that even Ministry of Petroleum has taken an in principle decision to revise dealers' commission, however, final decision is not being taken by the Central Government on account of pendency of appeal before the

Division Bench of Delhi High Court against the judgment dated 18.03.2020.

2. Learned counsel submits that the issue involved in the appeals before the Division Bench is entirely different than the matter concerning increasing the dealers' commission and thus, the Central Government is not justified in not implementing the decision and not increasing the dealers' commission.

3. Without pronouncing upon petitioner's right, this Court deems it appropriate to dispose of the present petitions with a direction to the petitioner – association to file a comprehensive representation before the competent authorities, including Ministry of Petroleum and Natural Gas within a period of two weeks, along with a certified copy of the order instant and photo-copies of the relevant documents including the judgment/order of Delhi High Court.

4. In case, a representation is so addressed within the aforesaid period, the competent authority of respondents shall consider and decide the same in accordance with law and do the needful as early as possible preferably within a period of twelve weeks.

5. It is made clear that aforesaid direction to decide the representation has been issued only with a view to ensure expeditious redressal of petitioner's grievance. The same may not be construed to be an order to decide the representation in a particular manner.

6. If the decision of the respondent – authority is in any manner prejudicial to petitioner's rights, the petitioner – association shall be free to take legal remedies against such decision in accordance with law.

(DINESH MEHTA),J

RAJASTHAN HIGH COURT



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