



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

S.B. Civil Writ Petition No. 16684/2023

Rajasthan Petroleum Dealers Association, Jaipur, Through Its  
State President Dr. Rajendra Singh Bhati S/o Fateh Singh Bhati  
Aged About 48 Years, R/o Bhawani Niketan, Near Pura Guest  
House, Sardarshahar, Churu, Rajasthan, 331403

-----Petitioner

Versus

1. State Of Rajasthan, Through Secretary, Department Of  
Petroleum, Jaipur, Rajasthan.
2. The Director, Food And Civil Supplies Department,  
Jaipur, Rajasthan.
3. Additional Chief Secretary, Food And Civil Supplies  
Department, Jaipur, Rajasthan.

-----Respondents

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For Petitioner(s)	:	Mr. Lakshya Singh Udawat
For Respondent(s)	:	None present

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**HON'BLE MR. JUSTICE ARUN MONGA**

**Order**

**06/11/2023**

Grievance of the petitioner Association *inter alia* is directed against the officials of Oil and Petroleum Companies who are allededly not complying with the various provisions of Weights and Measurement Act, 2009, Rajasthan Legal Metrology Rules, 2011 and Petroleum Act, 2005.

2. Pleaded case in the petition herein is that the petitioner is an Association, incorporated under Rajasthan Non-Trading Companies



Act, 1960 and grievance of the petitioner Association is that the entrusted officers of Oil and Petroleum Companies on several occasions acted in an arbitrary manner, without complying with the Weights and Measurement Act, 2009, Rajasthan Legal Metrology Rules, 2011 and Petroleum Act, 2005 as well. On many occasions they created constant pressure for termination of dealership of the petitioner and they were found breaking sealed units of the petroleum dealers, in the absence an officer entrusted by the Legal Metrology Act and on vague premise, they seek to terminate the dealership without providing them opportunity of hearing and thus, there is a violation of their fundamental rights under Article 19(1)(g) of the Constitution of India.

3. Learned counsel for the petitioner at the outset, relying on an administrative order dated 13.06.2023 (Annexure-2), passed by the competent authority of the State Government, submits that in light thereof a representation by the petitioner has already been filed before the respondent No.1 i.e. Department of Petroleum, Government of Rajasthan. However, no decision has been taken on the same till date. Hence, the petitioner has been compelled to file the present writ petition.

4. I am of the opinion that since views of the administrative authority on the representation already preferred would be required before taking any judicial recourse qua the claim of the petitioner, in the premise, writ petition is disposed of with direction to the respondent No.1 to take a decision, either way, on the pending representation addressed by the petitioner.

5. In case, an adverse decision on the pending representation is proposed to be taken, specific reasons thereof be given by passing



a speaking order. Needful be done expeditiously but not later than six months from today.

6. Pending application(s), if any, also stand disposed of.



17-Ravi / Divya

**(ARUN MONGA),J**