



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 1637 of 2017

M/s Balaji Gas Company **versus** The Indian Oil Corporation Limited

WPC/2227/2020

Order Sheet

20.04.2026	Mr. Achyut Tiwari, Advocate for the petitioner(s). Mr. Anand Shukla, counsel for the respondents. Heard on I.A. No. 08 of 2025, an application for amendment in memo of petition in WPC No. 1637 of 2017. The petitioner has moved an application for amendment and has proposed to amend after 9.18 in grounds and 10.3 in reliefs which reads as under: "9.19 That, during the pendency of the present petition, the respondent authorities have, without notice and in contravention of law, deducted an amount of Rs. 9,61,075/- (Rupees Nine Lakhs Sixty-One Thousand Seventy- Five only) from the account of the petitioner and further proceeding to recover additional amount from the petitioner.
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10.4 That, this Hon'ble Court may kindly be pleased to direct the respondent authorities to refund the aforesaid deducted amount of Rs. 9,61,075/- (Rupees Nine Lakhs Sixty-One Thousand Seventy Five only) during the pendency of the present petition, with interest, to the petitioner, in the interest of justice."

Learned counsel for the petitioner(s) would submit that the proposed amendment does not change the nature of writ petition but the same is consequence of the proceedings going on against the petitioner which is sub-judice before this Court, thus he would pray for allowing the amendment application.

On the other hand learned counsel for the respondents would submit that the order was passed way back in the year 2020 and the petition is pending since 2017 therefore, after lapse of 08 years the same is barred by limitation and it will change nature of the writ petition thus he would pray for rejection of the application.

I have heard learned counsel for the parties.

Considering the fact that the impugned recovery has been done during pendency of the writ petition related to the main issue raised in this petition, and the subsequent amendment does not change the nature of the case as it is outcome of the proceedings which is already sub-judice

before this Court. Considering these aspects of the matter, I am of the view that the amendment deserves to be allowed. Accordingly, I.A. No. 08 of 2025 is allowed.

Let necessary amendment be carried out by the petitioner(s) in the memo of petition within a week.

Meanwhile the respondents shall be at liberty to file an additional reply questioning the grounds attacking the recovery order and will also file an affidavit narrating the salient features of the Ujjwala Scheme framed by the Government, safeguards provided by the Companies to prevent de-duplication of the gas cylinders and also clarify whether details of each family member will be uploaded or not.

List both the cases on **08th May, 2026**.

**Sd/-
(Narendra Kumar Vyas)
Judge**